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A
S T A T E

OF THE
EXPEDITION

FROM

C A N A D A,

AS LAID BEFORE THE

HOUSE OF COMMONS,

BY

LIEUTENANT-GENERAL BURGOYNE,
AND VERIFIED BY EVIDENCE;

WITH A

COLLECTION OF AUTHENTIC DOCUMENTS,

AND

AN ADDITION OF MANY CIRCUMSTANCES WHICH WERE PREVENTED
FROM APPEARING BEFORE THE HOUSE BY THE
PROROGATION OF PARLIAMENT.

WRITTEN AND COLLECTED BY HIMSELF,

AND

DEDICATED TO THE OFFICERS OF THE ARMY HE COMMANDED.

THE SECOND EDITION.

L O N D O N :

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HOUSE OF COMMONS

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CANADA

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MVSEVM
BRITANNICVM

[illegible]

My country may have some small services. My country may have some small services. My country may have some small services.

[T O]
MAJOR GENERAL PHILLIPS,

AND THE

OTHER OFFICERS

WHO SERVED IN THE ARMY COMMANDED BY

LIEUTENANT GENERAL BURGOYNE,

UPON AN

EXPEDITION FROM CANADA.

GENTLEMEN,

PROPRIETY and affection alike incline me to inscribe to you the following undertaking. We are mutual and peculiar sufferers by the event of the campaign in 1777. You were witnesses and judges of my actions; but I owed you an account of the principles which directed them.

Another motive for this Address is to avail myself of a proper public opportunity to repeat to you, what I have omitted no occasion of expressing in Parliament, in correspondence, and in conversation—the fullest approbation of your services. My errors may have been numberless; your conduct has been uniform—faithful, gal-

lant and indefatigable. Debarred of the power of doing you justice before the King, these testimonies are the only means to which my esteem and gratitude can resort.

After vindicating myself as a commanding officer from any inattention to your interest or fame, I next throw myself upon your judgment for my conduct as a friend.

You will find by this publication, and some others, which though not addressed to you will probably engage your curiosity, that I have been accused of shrinking from the common captivity.

* I have been supported under that aspersions by the consciousness I did not deserve it, and the confidence that you (to whom chiefly upon that charge I was responsible) would not adopt it. After the fortunes we have run together, it is not surely unworthy of belief, that I should rather have desired, than avoided to partake the closing scene: uniting with a due sense of personal attachments, the preservation of my military fortune, and a retreat from the distractions of my country. The defence of your honour and my own, at one time, and resistance to an affront * which my nature could not bear, at another, alone detained me here.

In

* The part of my treatment which I call an affront upon this and other occasions, is the refusal of my service in this country, even at the head of my own regiment, or as a volunteer, in the time of exigency, and when other officers *precisely in my own situation* were employed. My complaint of this partiality has never been officially answered; it has only been evaded by anonymous writers, who have laid it down as a position, that I meant to allude to the example of Lord Harrington (with which it certainly has nothing to do) and then have taken a merit in refuting me. The particular

In regard to my political transactions, I have stated them, and I wish them to be considered by my friends, apart from my military conduct, I bear very high respect to some eminent and ill-treated characters in our profession, who in deference to the tranquility of government, have silently resigned the stations which they could no longer hold with security to their honour, or benefit to the state. But the option is not left to those, who having a voice in Parliament are obliged to act as citizens as well as soldiers. The number of officers altogether of the army and navy, who with known love to their country and professional spirit equally conspicuous, have voluntarily withdrawn themselves from employment within these two years, exceeds all precedent. I do not place my name in the list with the same pretensions; but it is not arrogant to emulate where we cannot compare; and I am desirous of following the high examples before me in no point more than in that of avoiding to disturb the zeal of those who are now employed. The officers who have held it their duty to take part in opposition, have acted openly and directly in their place in Parliament; but they may defy malice to shew an instance wherein

particular example to which I appeal is that of Lieutenant Colonel Kingston, of the 86th regiment, appointed to that regiment, employed in it for the defence of Plymouth, and actually now embarking with it for foreign service, under the same terms of the convention, and the same terms of parole to the Congress verbatim with myself. Other objections, and of a nature that could not be afterwards supported, were tried against the Duke of Rutland's recommendation of this excellent officer: but the objection of parole, though fully known to be precisely the same with that which was so peremptorily urged against my pretensions, was never mentioned.

they have not encouraged ardour in their profession. They contemplate with one and the same sentiment the great supply of honourable men to occupy their places.

You, Gentlemen, stand high in that description; your trials have made you of sterling value; and perhaps it will be better discerned by men in power, when no longer viewed through the unfavourable medium of my friendship. If my exhortations retain their former weight, let me be permitted earnestly to apply them upon this occasion. The examples of generals or admirals who decline employment, respect only similar cases; your honour is secure: look not at professional disappointments; but point all your views to the true glory of your King and country, and trust for the reward.

O socii (neque enim ignari sumus ante Malorum)

O passi graviora: dabit Deus his quoque finem.

This passage will bring to the remembrance of some among you a hard hour when we before quoted it together, and not without some *cheer of mind*.—May the end of your enduring be near! And with every other wish and sentiment that can denote esteem, I have the honour to be,

Gentlemen,

Your most faithful and most obedient
humble servant,

Hertford-Street,
Jan. 1, 1780.

J. BURGOYNE.

INTRODUCTION.

WHEN it becomes necessary for men who have acted critical parts in public stations to make an appeal to the world in their own justification, there are many prudential considerations which might lead them to commit the care of it to friends, or, which is in many respects the same thing, to defend themselves under an assumed character. The charge of vanity usually made on egotism is thus eluded: a fuller scope may be given to self-love and particular resentment: even the lower vexations which attend an author are to a great degree avoided: the ill-nature of criticism is seldom awakened by anonymous writings, and the venal pens of party lose half their gall when the object of it is not personally and directly in question.

But there are situations, in which, not only general assent seems to justify a man in speaking of himself, but in which also no little consideration ought to be admitted to the mind. Such will be the case, if I am not deceived, when the interests of the public are blended with those of the individual; and when his very errors may serve as instruction to others. Misfortunes which awaken sensibility will be a further, and a persuasive call, upon the *attention* of the public; and

it will amount to a claim upon their *justice*, if he can shew that he has been injuriously treated.

Upon maturely weighing these and several other circumstances, after I had been denied a professional examination of my conduct, and disappointed of a parliamentary one, I determined to lay before the public a state of the expedition from Canada, in 1777, in my own name. And my first design was to do it under the title, and with the latitude of *Memoirs*; as a mode by which I could best open the principles of my actions, and introduce, with most propriety, collateral characters, incidents, and discussions, as they might occasionally tend to illustrate the main subject.

However, in the last session of Parliament, the enquiry which had not been agreed to the year before, took place. I had pressed it, and I entered into it under all the disadvantages which attend a struggle with power, and the prejudice that power can raise against the persons it means to destroy. The utmost that power could do was done; the Parliament was prorogued pending the proceedings. But though by this contrivance, a final and formal adjudication by that august assembly was avoided, their minutes stand a sacred record of truth and justice, and the most satisfactory reliance to which my wishes could aspire, in offering my actions to the judgment of my country at large.

From that time, therefore, I resolved to publish, instead of *Memoirs*, the *Proceedings* precisely as they passed in Parliament, and to continue my defence by such *Observations and Comments* upon the Evidence, as I should have had a right, and
was

was prepared to make, had the proceedings in the house continued.*

Possibly in this latter part some colour of my original design may remain. The scenes I have been engaged in are uncommon, and it is a natural desire to place them in a full light. The interests concerned make that desire more urgent; and I dare believe they will be best guarded by being most explained.

* The order in which the committee in the House of Commons proceeded was, to hear Sir William Howe's Narrative, respecting his conduct whilst in command in America, and such evidence as he thought proper to bring in support of it. They next heard my Narrative and Evidence, respecting the conduct of the expedition from Canada. Lord George Germain then opened a defence on his part, and summoned witnesses to support it. According to the arrangement made by the committee, Sir William Howe and myself were afterwards to be heard in reply; but the proceedings were ended by the prorogation of Parliament before the examination of Lord George's second witness, Mr. Galloway, was closed, and there were sixteen or eighteen more upon his list. The order in which the following papers are placed is—1st. The Prefatory Speech. 2d. The Narrative. 3d. Minutes of the verbal evidence. 4th. Review of the evidence, with Remarks and Explanations, &c. 5th. An Appendix, containing the written evidence.

ADVERTISEMENT.

In Plan IV. the third and fourth positions of the army in the engagement of 19th of September may appear upon a cursory view to want precision. The inequalities of the ground could not be distinctly marked upon so small a scale; and the continual shift of the positions of separate corps, as they were attacked by corps of the enemy, which frequently, from the thickness of the wood, they did not see, made it equally difficult to mark regularly the position of the whole at any one time.

The position of the armies on the 8th of September in Plate V. requires also some explanation. From the smallness of the scale, the position of the enemy could only be shewn upon the plain near the river; but it is to be observed, it extended over the ground of General Burgoyne's former encampment, and in front of the redoubts upon the hill.

**The SPEECH of Lieutenant General BURGOYNE,
prefatory to his NARRATIVE.**

MR. MONTAGU,

BEFORE I enter upon the narrative, which the precedent of your late proceedings authorises me to lay before you, I think it a duty to the committee, to promise that I shall trouble them with little other matter than such as may be necessary to elucidate the transactions of the campaign 1777, in that quarter where I commanded.

I shall keep in mind, that to explain the causes of the disaster at Saratoga is the principal point to which all my evidence ought to lead: but at the same time, I shall take confidence in the justice and benevolence of my hearers, that where arguments in exculpation of the commander can aptly be combined with a faithful representation of facts, they will not be deemed foreign to the main object under their consideration.

Upon these ideas, though some introductory explanations are requisite, I shall suppress the inclination I at first conceived, of stating my conduct from the time, when, conjointly with my honourable friend who took the lead in this inquiry,* I was called to the unsolicited and unwelcome service in America: nor will I enumerate the complicated circumstances of private misfortune and ill health under which I pursued it. Prudence, as well as other propriety, is, I confess, consulted in this suppression; for were it seen, that an officer had blended with the respect due

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to

* Sir William Howe.

PREFATORY SPEECH.

to authority, warm, though disinterested personal attachments; that under a persuasion of the honour and integrity of the king's servants, he had united to his zeal for the public cause an interest in their private credit and ambition; would it not be conceived, that his guilt must have been atrocious, beyond all excuse or palliation, to induce the very men to whom his endeavours, and his faculties, such as they were, had been thus devoted, not only compleatly to desert him, but to preclude him, as far as in them lay, from every means of defence, and if possible, to ruin him in the opinion of the king, the army, and the country?

An earnest desire to save, as much as possible, the time of the committee, would also dissuade me from recurring to any points previous to my instructions which have been discussed upon former occasions; but I find that great stress is still laid to my prejudice upon a paper which found its way to the house during my absence: I mean the private letter to the noble lord, secretary for the American department, dated 1st January, 1777.*

*
See Appendix
No. I.

The noble lord has frequently stated that letter to have slipped inadvertently into the parcel destined for the house, and I give credit in that particular to his assertion; because, whatever other impressions he might have found it his interest to make respecting me, he certainly would not have thought that the imputation on me which that letter tended to fix, a proper one for *him* to put forward: it is a notorious fact, or I would not mention it, that it has been held a reflection upon my character (by the part of the public with whom the noble lord is unpopular) that I addressed him as a patron and friend.

This is an imputation to which I must plead guilty; for at the time I wrote that letter, I certainly did hold that noble lord as my friend, and I had acted to deserve he should be so. The next ill tendency of that paper was, as the noble lord well knows, to impress the public with an opinion, that I was endeavouring

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3

to supplant Sir Guy Carleton in the command of the northern army—an action abhorrent to the honour of an officer and the liberality of a gentleman; and of which, thank God, I can prove the falsehood, by irrefragable evidence upon your table, and in a very small compass. I need only refer to the dispatches to Sir Guy Carleton by his aid de-camp, dated 22d August, 1776,* four months before I came home, to shew that it was at that time determined, that Sir Guy Carleton should remain in Canada; and that determination was made, as I have been informed, not only upon the political reasoning which appears in that dispatch, but also, upon great law opinions, that he could not, under the commission he then held under the great seal, pass the frontiers of his province. Sir, this confutation was urged by me last year; and were collateral proof necessary to my justification upon this subject, I could bring to your bar a tribe of gentlemen, who had imbibed impressions not very favourable to the military proceedings of Sir Guy Carleton in the campaign of 1776: I could shew that I seized numberless, indeed I seized every possible occasion to vindicate the judgment, the assiduity, the activity of that highly respectable officer, careless how ill I paid my court, earnest to meet every attack against his fame.

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See Appendix
No. II.

I beg leave also to call the attention of the committee very particularly to one other paper, the date of which is previous to my departure from England: it is entitled, "Thoughts for conducting the War from the Side of Canada, by Lieutenant General Burgoyne."* Sir, it will be in the recollection of the committee, whether, when the conduct of the war was under consideration last year in my absence, it was not understood, that the plan of the northern expedition was formed upon that paper as produced upon your table? If so, I must ask the noble lord, why he suffered that error to prevail? The noble lord knew, (and it was peculiarly his duty to declare it) that the two proposals, the first of turning the expedition eventually

No. III.

PREFATORY SPEECH.

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No. III.

PREFATORY SPEECH.

tually towards Connecticut; and the second, of embarking the army on the river St. Lawrence, in order to effect a junction with Sir William Howe by sea, in case the attempt by land appeared "impracticable, or "too hazardous," were erased while the paper was in his lordship's hands.

From that paper, as it appeared without erasures, naturally arose the conclusion, that the plan I had to execute was completely my own; upon that paper were founded, as naturally, the doubts which have been entertained upon the peremptory tenor of my instructions. I must again ask the noble lord, upon what principle of justice he suffered those impressions to exist in this house? Why, in a debate in which he took a part, did he conceal, that the circumstances in reality were totally different from those upon which gentlemen reasoned; that the discretion reserved in the paper before the house was taken away, and consequently, that my orders were rendered absolute in the strictest sense by his own alterations?

Let any gentleman who has supposed I had an implied latitude for my conduct, now compare this circumstance with the wording of the letter to Sir Guy Carleton, dated March 26, 1777, with a copy of which I was furnished, and extracts from which were afterwards the only orders I had to act upon.*

*
See Appendix
No. IV.

I shall take no particular notice of what is called the saving clause, in the latter part of the orders, except to give the flattest contradiction to the supposition that I dictated it—a supposition that I know is not yet abandoned by the men who first suggested it. I have spoke to it very fully upon a former occasion;† and I do not wish, when it can be avoided, to enforce or reiterate the charges of duplicity and treachery which must ensue, if that clause could be supposed to have reference to any conduct previous to my arrival at

† The debate upon Mr. Vyner's motion, May 28, 1778; the speech was published.

PREFATORY SPEECH.

Albany. The circumstance of forbidding me the latitude in the two particulars I had proposed in my plan, and many other circumstances, clearly indicated the decided intentions and expectations of the ministers, rendered the sense of the whole order taken together clear and distinct, and shewed that the clause which is pretended to have left me a discretion as to my main object, had no sort of relation to that object. That clause evidently related not to my forcing my way, or not forcing it, to Albany, the place of my destination, but to such collateral and eventual operations as might be adviseable in the course of my march. It related to the making impression upon the rebels, and bringing them to obedience, in such manner as exigencies might require, and in my judgment might seem most proper, previous to receiving orders from Sir William Howe, "of my junction with whom I was never to lose view."

Notwithstanding there has been so much discussion in debate and print upon the interpretation of absolute orders, the committee, I am confident, will absolve me, though, at the expence of a few moments more, I should continue a subject upon which the merit or blame of the future proceedings in great measure rests.

I do not admit the position, that there can be no case in which an officer acting at a distance is bound at every hazard to pursue orders, that appear absolute and decisive. It is easy to conceive circumstances, which might justify a state in hazarding an army, for the sake of facilitating great and decisive objects. Gentlemen, conversant in military history, will recollect many examples of this principle: upon a former occasion, I stated a supposed case;* and I now entreat

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leave

* The case alluded to was put in a former debate, as follows: suppose the British army that invaded Britany in 1758, had gained a complete victory over the Duke D'Aiguillon: to have marched rapidly towards Paris, abandoning the communication with the fleet, exposing the army possibly to great want of provision, and to the impracticability of retreat, would certainly have been a measure
con-

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leave to add a real example of peremptory orders, which happened in the course of my own service. I have ever retained the impression, that the circumstance I am going to relate, made upon my mind at the time; and to those few who may still think, that in any part of my conduct, I rashly risked my peace, my interest or my fame, to forward the wishes of others, this prepossession may in some measure account for, and excuse, my imprudence.

In the campaign of 1762, in Portugal, the Count La Lippe, a name, which, if it finds a due historian, will stand among the first in military fame, was placed at the head of about 6000 British troops, and a Portuguese army, the greater part of which was little better than nominal, to defend an extensive frontier against the whole force of Spain, and a large body of the veteran troops of France. The salvation of Portugal depends solely on the capacity of that great man, which united the deepest political reasoning with exquisite military address.

I had the honour to be entrusted with the defence of the most important pass upon the Tagus, and my orders were peremptory to maintain it against any numbers, and to the last man.

A select corps of the enemy, greatly superior to mine, were encamped within sight on the other side the river, and our advanced posts were within half musquet shot.

In this situation, I received intelligence from Count La Lippe, of a design of the enemy to pass the Tagus

consummately desperate and unjustifiable, if tried upon military system: yet, will any man say, that if that measure must evidently have produced such alarm and confusion in the heart of France, as to have compelled the recall of her whole force from Germany, or such part of it, as would have given uncontrouled scope to the armies under the King of Prussia and Prince Ferdinand, that the minister of England would not have been judicious, though at the palpable risk of the army, as far as capture was concerned, in ordering the general to proceed by the most vigorous exertions, and to force his way to Paris?

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in force, about six miles above me, and to take possession of the open country in my rear, with a large corps of cavalry, by which means all communication, supply, or safe retreat, would be cut off.

Together with this intelligence, the Count's letter expressed, "That every delay to the enemy in getting possession of the pass I guarded, was so material to his other plans and operations, that it justified a deviation from systematic rules; that, therefore, after taking timely precautions to secure the retreat of my cavalry, I must abide the consequence with the infantry; that at the last extremity, I must abandon my cannon, camp, &c. and with such provision as the men could carry upon their backs, throw myself into the mountains upon my left, and endeavour, by small and dispersed parties, to gain a rendezvous at the northern part of the province." I must observe, that when these peremptory orders were given, the commander was at a distance that made all timely communication of circumstances as impossible, as if the Atlantic had been between us; and I cannot close the example without mentioning the concluding part of Count La Lippe's letter. "He participated," he said "in the feelings with which an officer would be struck for his reputation, in suffering himself to be cut, and reduced to sacrifice his camp, his baggage, and twenty pieces of cannon. But *be at ease*," continued that great and generous man, "*I will take the measure entirely upon myself: persevere as I have directed, and be confident of my defence and protection.*" This was a saving clause of a nature very different from those it is the practice in the present day to pen; and if any man doubts the quotation, I can bring positive evidence to the truth of it verbatim.

Thus much, Sir, I thought it incumbent upon me to state in argument against the position that has been insisted upon, that no orders can be worded so peremptorily at a distance, as not to admit of an im-

plied latitude, in case of unforeseen and insurmountable difficulties: but to prevent all future cavil upon this subject, I request the committee to recollect, what I have again and again repeated; that I by no means put my defence, in passing the Hudson's River, solely upon this reasoning. On the contrary, supposing for the argument's sake, I should concede (which I never have done, nor mean to do) to the noble Lord, and to every other gentleman, all they can desire to assume upon implied latitude in given cases, I should equally prove that no such case did exist, as would have justified me upon their own principle, in departing from the letter of the orders under which I acted.

Having thus cleared my way to the time of my leaving England, to take upon me the command of the Northern expedition; I shall now lay before the committee a narrative of its progress, in as concise and simple terms, as the nature of the subject will allow, endeavouring to imitate the perspicuity of the honourable gentleman who took the lead in this business, and not without hope of my endeavours producing the same effect; and that, in the opinion of the house, my language, as has been expressed of his, will be deemed the language of truth.

NARRATIVE.

NARRATIVE.

IT is my intention, for the more ready comprehension of the whole subject, to divide it into three periods. The first, from my appointment to the command, to the end of my pursuit of the enemy from Ticonderoga; the second, from that time to the passage of the Hudson's River; and the third to the signing the convention.

I left

N A R R A T I V E.

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I left London on the 27th of March, and upon my departure from Plymouth, finding the Albion man of war ready to sail for New-York, I wrote to Sir W. Howe by that conveyance, upon the subject of my expedition, and the nature of my orders. I arrived at Quebec the 6th of May. Sir Guy Carleton immediately put under my command the troops destined for the expedition, and committed to my management the preparatory arrangements. From thence I wrote a second letter to Sir William Howe, wherein I repeated that I was entrusted with the command of the army destined to march from Canada, and that my orders were to force a junction with his excellency.

I expressed also my wishes, "that a latitude had been left me for a diversion towards Connecticut, but that such an idea being out of question, by my orders being precise to force the junction, it was only mentioned to introduce the idea still resting upon my mind; viz. to give the change to the enemy if I could, and by every feint in my power to establish a suspicion, that I still pointed towards Connecticut."

"But," I repeated, "that under the present precision of my orders, I should really have no view but that of joining him, nor think myself justified by any temptation to delay the most expeditious means I could find to effect that purpose."

I proceeded to Montreal on the 12th, and as my letters, lately laid before the house from that place,* and from Quebec, will shew the state of things, I should not rest a moment upon this period, were it not to add one more public testimony, to those I am not conscious of having omitted upon any occasion, of the assiduous and cordial manner in which the different services were forwarded by Sir Guy Carleton. I should think it as dishonourable to seek, as I know it would be impossible to find, excuse for any fault of mine in any failure on the part of Sir Guy Carleton, or of any persons who acted under him, in any matter respecting the

* See Appendix No. V.

NARRATIVE.

the expedition. Had that officer been acting for himself, or for his brother, he could not have shewn more indefatigable zeal than he did, to comply with and expedite my requisitions and desires.

Certain parts of the expected force, nevertheless, fell short. The Canadian troops, stated in the plan at 2000, consisted only of three companies, intended to be of 100 men each, but in reality not amounting to more than 150 upon the whole; nor could they be augmented. The *corvées*, which are detachments of provincials without arms, to repair roads, convey provisions, or any other temporary employment for the king's service, could not be obtained in sufficient number, nor kept to their employments, although Sir Guy Carleton used every possible exertion and encouragement for the purpose. Drivers for the provision carts, and other carriages, could not be fully supplied by the contractor, though no expence was spared; a circumstance which occasioned much inconvenience afterwards.

To these unavoidable disappointments were added the difficulties occasioned by bad weather, which rendered the roads almost impracticable at the carrying places, and consequently the passage of the bateaux, artillery, and baggage exceedingly dilatory: we had beside a great deal of contrary wind. Notwithstanding all impediments, the army assembled between the 17th and 20th of June, at Cumberland Point, upon Lake Champlain.

On the 21st I held a conference with the Iroquois, Algonchins, Abenekies, and Outawas, Indians, in all about four hundred.

This conference appears in your papers*. I thought at the time that the cordiality of the Indians over the whole continent might be depended upon, and their first operations tended to persuade me into a belief of their utility. The priest to whom they seemed devoted, and the British officers employed to conduct them, and to whose controul they engaged to submit, gained advantages, and spread terror without barbarity.

The

*
See Appendix
No. VI.

The first party sent out made several of the enemy prisoners in the heat of action, and treated them with European humanity.

During the movement of the different corps to this general rendezvous, I wrote a third letter to Sir William Howe. The chief purport of it was to give him "intelligence of my situation at the time, and of my expectation of being before Ticonderoga between the 20th and 25th instant; that I did not apprehend the effective strength of the army would amount to above 6500 men; that I meant to apply to Sir Guy Carleton to send a garrison to Ticonderoga when it should be reduced, but that I was apprehensive he would not think himself authorised by the King's orders to comply; that whenever, therefore, I might be able to effect the junction, Sir William would not expect me to bring near the original number. I repeated my perseverance in the idea of giving jealousy on the side of Connecticut, and at the same time my assurances, that I should make no manoeuvre that could procrastinate the great object of a junction."

I state these different letters to Sir William Howe merely to shew that my conception of the precision of my orders was not upon after-thought, and taken up as an excuse when I found the expedition had failed; but a fixed decided sentiment coeval with my knowledge of my command.

For a further proof of the same fact, I beg leave to state an extract from my orders to the army at Crown Point, June 30th. The words were these:

"The army embarks to-morrow to approach the enemy. The services required of this particular expedition are critical and conspicuous. During our progress occasions may occur, in which, nor difficulty, nor labour, nor life are to be regarded. This army must not retreat." Were it necessary, I could bring abundant collateral proof to the same effect, and shew that the idea of forcing a way to Albany by vigorous

gorous exertions against any opposition we might meet, was general and fixt through the whole army.

My proceedings from the time of assembling the army as before described, to the date of my public dispatch from Skenesborough, comprehending the manœuvres which forced the enemy from Ticonderoga, and the actions at Skenesborough, Huberton, and Fort Anne, are related at full in that dispatch.*

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No. VII.

It is the less necessary to give the Committee further trouble upon this subject, because I believe no enemy can be found to arraign my conduct in those days of success; or if there were one, he could not deprive me of the consolation, that I had his Majesty's full approbation and applause, of which it is known to many, I had a very honourable and distinguished proof.

All therefore that is necessary before I quit this first period of the campaign, is to give a precise state of the effective strength of the army, at the time it assembled.

On the 1st July, the day we encamped before Ticonderoga, the troops consisted of

British rank and file	3724
German ditto	3016
	—
	6740
regulars, exclu-	
—	—
five ofartil-	
Canadians and Provincials, about	250
lery-men,	
Indians about	400
	—
	650

In regard to the artillery, I think this the proper place to rectify the misrepresentations that have prevailed respecting the quantity employed. It has been stated as far beyond the necessary proportion for the number of troops, an incumbrance to their movements, and one cause of what has been called the slow progress of the expedition.

In order to justify this charge, a view of the whole mass has been presented to the public without any explanation

planation of its distinct allotments; and many have been led to believe, that the whole was attached to the army throughout the campaign, and fell into the enemy's hands at last—The intention of this representation is obvious: the allegation is false.

The facts, as I shall prove them to the committee, are as follow: The whole original train furnished by Sir Guy Carleton consisted of sixteen heavy twenty-four pounders; ten heavy twelve-pounders; eight medium twelve-pounders; two light twenty-four pounders; one light twelve-pounder; twenty-six light six-pounders; seventeen light three-pounders; six eight-inch howitzers; six five and a half inch howitzers; two thirteen-inch mortars; two ten-inch mortars; six eight-inch mortars; twelve five and a half-inch mortars; and twenty-four four and two fifth-inch mortars. Of these, two heavy twenty-four pounders were sent on board a ship for the defence of Lake Champlain, and the other fourteen were sent back to St. John's. Of the heavy twelve-pounders, six were left at Ticonderoga, four ditto in the Royal George; four medium twelve-pounders at Fort George; one light twelve-pounder at Ticonderoga; two light six-pounders at Fort George; four light six-pounders at St. John's; four light three-pounders at Ticonderoga; five light three-pounders at St. John's; two eight-inch howitzers at Fort George; two ditto at St. John's; two five and a half-inch howitzers at Fort George; two thirteen-inch mortars in the Royal George; two ten-inch mortars in ditto; four eight-inch mortars in ditto; four five and a half-inch mortars at Ticonderoga; four royal mortars in the Royal George; twelve cohorns at Ticonderoga; and eight cohorns in the Royal George.

The field-train therefore that proceeded with the army consisted of four medium twelve-pounders; two light twenty-four pounders; eighteen light six-pounders; six light three-pounders; two eight-inch howitzers; four five and a half-inch howitzers; two eight-inch mortars, and four royals.

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The carrying the twenty-four pounders (though they were but two) has been spoken of as an error, and it is necessary therefore to inform the committee that they were of a construction lighter by eight hundred weight than medium twelves, and to all intents and purposes field artillery.

This artillery was distributed as follows :

Frazer's corps, estimated at three battalions,

Ten pieces, viz.

Four light six-pounders.

Four light three-pounders, constructed for being occasionally carried on horseback.

Two royal howitzers.

German reserve, under Colonel Breyman, estimated at two battalions,

Two light six-pounders.

Two light three-pounders, and served by the Hesse Hanau artillery men.

The line of British, four battalions,

Germans, five battalions.

Total, nine battalions.

Three brigades of artillery, of four six-pounders each; viz. one brigade for each wing, and one for the center.

From hence it appears that to fourteen battalions there were allotted twenty-six pieces of light artillery. The customary allotment is two pieces per battalion, consequently the proportion of artillery was less than upon common services.

The forming artillery into brigades, in preference to detaching two guns to each battalion, has been constantly practised in most services during last war under the ablest men, and it is productive of many advantages, as the brigades by that means, either singly or united, fall under the command of a proportionable number of officers. The service is carried on with greater regularity, and the effect of the fire becomes much more formidable than when scattered along the front of the line.

This

This mode of service was recommended by Major-general Phillips, and adopted without hesitation by me, my own judgment being confirmed by an officer of his great skill and experience.

The park artillery consisted of ten peices, viz.

2 light twenty-four pounders.

4 medium twelve-pounders.

2 eight-inch howitzers.

2 royal howitzers.

I understood this proportion of field artillery to be the same as that proposed by Sir Guy Carleton had he commanded; it was the proportion recommended by General Philips, and I formed my opinion conformably to the sentiments of those respectable officers upon the following reasons, viz. that artillery was extremely formidable to raw troops; that in a country of posts it was essentially necessary against the best troops; that it was yet more applicable to the enemy we were to combat, because the mode of defence they invariably adopted, and at which they were beyond all other nations expert, was that of entrenchment covered with strong abatis, against which the cannon, of the nature of the heaviest above described, and howitzers, might often be effectual, when to dislodge them by any other means might be attended with continued and important losses.

In these general ideas of the use of artillery against the rebel forces, I have the happiness to observe, from the papers before you, the concurrence of Sir William Howe, who states similar ideas very fully in one of his requisitions to the secretary of state: but further reasons for not diminishing the proportion of guns of superior calibre to six-pounders in this train, were, first, their use against block-houses (a species of fortification peculiar to America); secondly, a probability that gun-boats might be requisite for the security of the water transport, on some part of the Hudson's River; but principally the intention of fortifying a camp at Albany, in case I should reach that place, should meet with a sufficiency of provision there (as I was led to expect)

and should find it expedient to pass the winter there, without communication with New-York.

With respect to the quantity of ammunition attached to this artillery, it is to be observed, that the number of rounds accompanying the light pieces, and which were carried in small carts, were not more than sufficient for a day's action.

Light six-pounders — 124 rounds each.

Light three-pounders — 300 rounds.

Royal howitzers — 90 rounds.

The different reserves of ammunition were chiefly conveyed by water in scows and bateaux: it certainly would not have been advisable, after a communication with Canada was at an end, to depend upon precarious supplies from the southward, and therefore it became necessary (as far as the service would allow) to carry forward such stores, as there was every appearance of an absolute want of, during the course of an active campaign.

Had the enemy established themselves in force upon the islands at the mouth of the Mohawk River, or on other ground equally advantageous, to have disputed the passage of that, or of the Hudson's River, or had they even waited an assault in their works at Stillwater, it is probable, that recourse must have been had to artillery of the heavier nature; in the latter case especially they must have been used, in order to derive any advantage from our seizing a post upon their left flank: I have since known, that they had iron twelve and nine-pounders mounted upon those works, which were in other respects very formidable.

The British artillery-men, rank and file, were 245

Recruits, under command of Lieutenant Nutt,

of the 33d regiment, attached to the service

of the artillery — 150

Hessian artillery-men, rank and file — 78

473
Add

Add these numbers to the former state of the army, and it will be found, that the regular strength when at the greatest consisted of 7213.

I come now to the second period of the campaign, comprehending the transactions from the time the pursuit of the enemy from Ticonderoga ceased, and the corps of Brigadier-general Frazer, and the 9th regiment, rejoined the army, after the respective actions of Huberton and Fort Anne, to the time when the army passed the Hudson's River to attack the enemy near Stillwater.

It had proved impossible immediately to follow the quick retreat of the enemy farther, from the nature of the country, and the necessity of waiting a fresh supply of provisions. But it appeared evident to me, that could a rapid progress towards Albany be effected, during their dispersion and panic, it would be decisive on the success of the expedition.

Question has been made by those who began at this period to arraign my military conduct, whether it would not have been more expedient for the purpose of rapidity, to have fallen back to Ticonderoga, in order to take the convenient route by Lake George, than to have persevered in the laborious and difficult course by land to Fort Edward? My motives for preferring the latter were these: I considered not only the general impressions which a retrograde motion is apt to make upon the minds both of enemies and friends, but also, that the natural conduct of the enemy in that case would be to remain at Fort George, as their retreat could not then be cut off, in order to oblige me to open trenches, and consequently to delay me, and in the mean time they would have destroyed the road from Fort George to Fort Edward. On the other hand, by persisting to penetrate by the short cut from Fort Anne, of which I was then master, to Fort Edward, though it was attended with great labour, and many alert situations, the troops were improved in the very essential point of wood service; I effectually dislodged the enemy from Fort
C George

George without a blow: and seeing me master of one communication, they did not think it worth while to destroy the other.

The great number of boats also, which must necessarily have been employed for the transport of the troops over Lake George, were by this course spared for the transport of the provision, artillery, and ammunition.

The success answered this reasoning in every point; for by the vigilance of General Phillips, to whom I had committed the important part of forwarding all the necessaries from Ticonderoga, a great embarkation arrived at Fort George on July 29th. I took possession of the country near Fort Edward on the same day, and independently of other advantages, I found myself much more forward in point of time than I could possibly have been by the other route.

Another material motive, which could not be known by strangers who have reasoned upon this movement, was, that during the time my army was employed in clearing Wook-Creek and cutting roads, and the corps under Major-general Phillips was working to pass the transports over Lake George, I was enabled to detach a large corps to my left, under Major-general Reidesel, and thereby assist my purpose of giving jealousy to Connecticut, and keeping in check the whole country called the Hampshire Grants.

It was at this time Major-general Reidesel conceived the purpose of mounting his regiment of dragoons. In the country he traversed during his detached command, he found the people frightened and submissive. He was industrious and expert in procuring intelligence in parts of the country more remote than Bennington, and entertained no doubt of success, were an expedition formed under the command of Lieutenant-colonel Baume.

On the arrival of the army at Fort Edward, the great object of attention was the transports from Fort George. The distance was about sixteen miles, the roads wanting great repair, the weather unfavourable,

the

the cattle and carriages scarce ; part of the latter inconvenience was occasioned by the number of both that were necessarily detained at Ticonderoga, for the purpose of dragging the boats and the provisions over the carrying-places, between Lake Champlain and Lake Georg : another part of the inconvenience was caused by the unavoidable delays, in bringing the different divisions of horses, as they were collected in Canada, through the desert, for such most of the country is, between St. John's and Ticonderoga.

It was soon found, that in the situation of the transport service at that time, the army could barely be victualled from day to day, and that there was no prospect of establishing a magazine in due time for pursuing present advantages. The idea of the expedition to Bennington originated upon this difficulty, combined with the intelligence reported by General Reidesel, and with all I had otherwise received.

I knew that Bennington was the great deposit of corn, flour, and store cattle ; that it was guarded only by militia ; and every day's account tended to confirm the persuasion of the loyalty of one description of the inhabitants and the panic of the other. Those who knew the country best were the most sanguine in this persuasion.

Had my intelligence been worse founded, I should not have hesitated to try this expedition with such troops, and under such instructions, as I gave to the commanding officer, for so great a purpose as that of a supply sufficient to enable the army to follow at the heels of a broken and disconcerted enemy. The German troops employed were of the best I had of that nation. The number of British was small ; but it was the select light corps of the army, composed of chosen men from all the regiments, and commanded by Captain Frazer, one of the most distinguished officers in his line of service that ever I met with. The instructions recommended the utmost caution respecting posts and security of retreat, attention against exposing the solid part of the

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detachment to affront, or committing it in any instance, without a moral certainty of success. I touch with tenderness and with great reluctance points that relate to the dead. My defence compels me to say, my cautions were not observed, nor the reinforcement advanced with the alacrity I had a right to expect. The men who commanded in both instances were brave and experienced officers. I have ever imputed their failure partly to delusion in respect to the enemy, and partly to surprise and consequent confusion in the troops.

For further explanation of my motives, and the circumstances attending the conduct of the expedition, I beg leave to refer the committee to the letter laid before the house last year, and more particularly to the private letter laid before the house lately.*

*
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IX.

The same letter will shew the only resource that remained for proceeding towards Albany, after the disappointment of this expedition, viz. to press forward a necessary supply of provision, and other indispensable articles, from Fort George. I shall bring proof to your bar to this point, and I trust I shall shew, beyond a doubt, that no possible exertion was omitted. It is not uncommon for gentlemen, unacquainted with the peculiarities of the country to which I am alluding, to calculate the transport of magazines, by measuring the distance upon a map, and then applying the resources of carriage, as practised in other countries. I request permission to shew their mistake. The first stage from Fort George to Fort Edward is by land. The distance and the roads were described before. At Fort Edward the Hudson's River becomes navigable for a certain extent, and it is the constant practice in all transports to resume the water carriage. Were it not, new impediments would arise from hills, worse roads, and such an increased distance, as would prevent the cattle returning to Fort George the same day. About six miles below Fort Edward lie the falls of Fort Miller, where there is another carrying-place, which, though of no considerable

considerable length, makes it necessary to unload the boats, to place the contents in carts, and to replace them in fresh boats, at the place the river again admits of navigation. The boats unloaded, return to Fort Edward against a rapid stream.

Upon this short state of facts, gentlemen will judge of our embarrassments. In the first place, it was necessary to bring forward to Fort Edward fourscore or a hundred boats, as mere carriage-vessels for the provisions, each boat made a hard day's work for six or more horses, including the return of the horses. At the next carrying-place, as above described, it was necessary to place a considerable relay of horses to draw over, first, a portion of carriage-boats, and afterwards the provision, as it arrived. I have not mentioned the great number of other boats necessary to be brought forward, to form bridges, to carry baggage and ammunition, and the number of carriages framed to transport the boats themselves at the ensuing carrying-places, as we should proceed to Albany. This will be shewn in detail at the bar, if the committee chuse to hear it; and I pledge myself, it will appear, that the diligence in this service was extreme; that it was performed in the most expeditious manner possible, regard being had to our resources, and that no delay was occasioned by the artillery, because the horses appropriated to it were supernumerary to those for which we had carts, and the artillery, not already with the army, at last was all brought up by its own horses in two days.

On the 13th of September, the store of provision, amounting to about thirty days' consumption, was completed. I have stated, in my letter to the secretary of state, my reasons against proceeding with less quantity. And it is now time to enter upon the consideration of that object, which is held by some to be conclusive upon the executive part of the campaign, the passage of the Hudson's River.

Two errors, respecting this passage, though of opposite and incompatible natures, are supposed to have

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pendix
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No. X.

contributed to the ill success that ensued ; the one, the error of delay, the other, that of precipitation. In defence against the first, I refer to my effort at Bennington to procure supplies, and to the impediments, I have just now stated, after the effort failed. Against the latter, I refer to the reasons laid down in my private letter to the secretary of state, dated 20th of August. * The state of things at this important crisis, and my reasoning upon it, are expressed still more at large in my dispatch from Albany ; I will now only touch them shortly. On the one hand, my communications were at an end ; my retreat was insecure ; the enemy was collected in force, they were strongly posted ; Colonel St. Leger was retiring from Fort Stanwix. These were difficulties, but none of them insurmountable. On the other hand, I had dislodged the enemy repeatedly, when in force, and more strongly posted ; my army was conscious of having the superiority, and eager to advance ; I expected co-operation ; no letters from Sir William Howe removed that expectation ; that to Sir Guy Carleton had never weighed upon my mind, because it was dated early in April, and consequently long before the secretary of state's instructions, which I must have supposed to relate to co-operation, could be received. The letter of 17th of July,* mentioned that General's return to my assistance, should Washington turn his force towards me ; indicated, as I thought, an expectation of my arrival at Albany ; and informed me, that Sir Henry Clinton was left at New-York, and would act as occurrences might direct. I did *not* know Sir Henry Clinton's force. I *did* know, that considerable reinforcement might be then expected at New-York from England. After all, should co-operation from below fail, the whole force of Colonel St. Leger, and Sir William Johnson, was to be expected from above, in time to facilitate a retreat, though not in time to assist my advance. Under these different suggestions, and those that are more copiously stated in the dispatch, to which I have referred, I read again my orders

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orders (I believe for an hundredth time) and I was decided.

And I am still convinced, that no proof that could have been brought from appearances, intelligence or reasoning, could have justified me to my country, have saved me from the condemnation of my profession, or produced pardon within my own breast, had I not advanced, and tried a battle with the enemy.

I will conclude this subject, with again asserting upon my honour, what I hope to support by evidence, though it is impossible to bring positive proof to a negative, that neither General Fraser, nor General Phillips, ever offered, as has been reported, nor can be supposed to have conceived any objection against the passage of the Hudson's River.

This resolution being taken, I trust, the manner of approaching the enemy, when explained by witnesses, will not be disgraceful to me as a soldier. The action, which ensued on the 19th of September, verified my opinion of the valour of my army; and I must, in truth, acknowledge, a very respectable share of that quality in the army of the enemy. To the general description given in my dispatch, it will be fit to add, by evidence, the peculiar merits of the troops in that action. The honour of three British regiments, in continual and close fire for four hours, all of them suffering considerable loss, and one remaining with less than sixty men, and four or five officers, ought not to lose its due applause, because it is said, their opponents were irregulars and militia.

A victory was at last obtained, but the close of day unavoidably prevented any immediate advantages. On the day following, it was known from prisoners and deserters, that the enemy were in a post strongly fortified; but from the thickness of the wood, it was impossible to catch a view of any part of their position. All that could be done, therefore, was to take up ground as near them, as the nature of the country would admit with regard to military arrangement. It appears from the
dispatch

dispatch already alluded to, that the army remained in this position till the 9th of October, when the second action ensued, employed in fortifying their camp, and watching the enemy, whose numbers it was now known, had been greatly superior to ours in the action.

It may here be asked, why, as soon as it became palpable that no use could be made of the victory, I did not retreat?

It will be shewn, that on the second day after the action, I received intelligence from Sir Henry Clinton, of his intention to attack the highlands about that time, and I was hourly in expectation, I thought a justly founded one, of that measure operating to dislodge Mr. Gates entirely, or to oblige him to detach a large portion of his force. Either of these cases would probably have opened my way to Albany. In these circumstances, could the preference upon these alternatives admit of a moment's reflection? To wait so fair a prospect of effecting at last the great purpose of the campaign, or to put a victorious army, under all the disadvantages of a beaten one, by a difficult and disgraceful retreat; relinquishing the long-expected co-operation, in the very hour of its promise, and leaving Sir Henry Clinton's army, and probably Sir William Howe's, exposed, with so much of the season of the campaign to run, to the whole force of Mr. Gates, after he should have seen me on the other side of Hudson's River.

Some of the same considerations, and other concomitant circumstances, will, in part, serve to account for my not attacking the enemy during this interval; for in this situation, as in former ones, my conduct has been arraigned upon opposite principles.

The committee will observe, that after receiving intelligence of Sir Henry Clinton's design, different messengers were dispatched by different routes, to inform that officer of my situation, and of the time I thought I could continue in it. To have hazarded a repulse, under so reasonable an expectation of a powerful

ful diversion, would, in my opinion, have been very unjustifiable; but when I add, that from the backwardness, or defection, of the few Indians that remained, the numbers of rifle-men, and other irregulars employed on the enemy's out-posts, and the strength and darkness of the surrounding woods, it had not yet been practicable to gain any competent knowledge of their position, I trust every man will go with me in the sentiment, that all these circumstances considered, an attack would have been consummate rashness.

Another very powerful reason, that operated on the side of delay, was the state of my sick and wounded. Numbers of the latter were recovering fast; many excellent officers in particular; and the more I delayed the stronger I grew. The time also entitled me to expect Lieutenant Colonel St. Leger's corps would be arrived at Ticonderoga, and secret means had been long concerted to enable him to make an effort to join me, with probability of success.

Upon mature consideration of these and other circumstances attending this period, come to my knowledge since, I am clearly of opinion, that had the reinforcements from England arrived in time, to have enabled Sir Henry Clinton to have effected the stroke he afterwards so gallantly made in the highlands, any time between the two actions, I should have made my way,

The dispatch alluded to, proceeds to state the reason that induced me to make the movement on the 7th of October. I shall only add, to obviate a supposed error, in not advancing my whole line, that the part remaining in my camp, operated as effectually to keep the enemy's right wing in check, from supporting their left, as if it had moved, with this additional advantage, that it prevented the danger of their advancing by the plain, near the river, and falling upon my rear,

I have

I have reason to believe my disappointment on that day proceeded from an uncommon circumstance in the conduct of the enemy. Mr. Gates, as I have been informed, had determined to receive the attack in his lines; Mr. Arnold, who commanded on the left, foreseeing the danger of being turned, advanced without consultation with his general, and gave, instead of receiving battle. The stroke might have been fatal on his part had he failed. But confident I am, upon minute examination of the ground since, that had the other idea been pursued, I should in a few hours have gained a position, that in spite of the enemy's numbers, would have put them in my power.

Disagreeable as is the necessity, I must here again, in justice to my own army, recur to the vigour and obstinacy with which they were fought by the enemy. A more determined perseverance than they shewed in the attack upon the lines, though they were finally repulsed by the corps under Lord Balcarras, I believe, is not in any officer's experience. It will be the business of evidence to prove, that in the part, where Colonel Breyman was killed, and the enemy penetrated, the mischief could not be repaired, nor under it the camp be longer tenable.

The transactions of the ensuing night, the day of the eighth, and the whole progress of the retreat to Saratoga, will be laid before the committee minutely in the course of my evidence, as well as every circumstance, from the time the army arrived there to the signing the convention. I have only to premise, that, I trust, I shall be able to prove, to the satisfaction of the committee, that even in this situation, I had the chance of a favourable event. The enemy had intended to attack by the plain of Saratoga. On the morning of the 11th, a considerable column had actually passed the Fifth Kill for that purpose during the fog, which at that season was regular till sometime after sun-rise. The intention was prevented
taking

taking place, by intelligence one of their generals received from a deserter, that I had a line formed behind the brush-wood, to support the post of artillery, which was their immediate object of attack. The general instantly retreated his column, and prevented a general action, which my position, compared with the proposed one of the enemy, gave me reason to hope would have been to my advantage.

I have likewise a satisfactory confidence, that I shall demonstrate that the intelligence I stated to the councils of war, respecting the strength of the enemy, did not fall short in any part, and in some parts much exceeded my own belief, particularly on the only possible routes of my retreat; and that those posts were not taken up during my stay at Saratoga, as has been reported, but some of them previous to the action of the 7th, and the rest immediately after it.

I shall close the whole of this by delivering at your table, from the hands of my secretary, an authenticated return of the force of General Gates, signed by himself, and the truth of it will be supported from ocular testimony, by every officer of the British army. Many of them are now in England, and after what has been insinuated, not to say charged in this House, it becomes the duty of the accusers, not only to examine closely the officers I have called, but to produce any other witnesses, that in their thoughts may be qualified to speak to the good or bad order of the rebel troops, when they marched by in their presence, to their behaviour, when opposed to our troops in action.

I cannot close this long trespass upon the patience of the committee, without expressing one humble hope, that in forming a judgment upon the whole, or any distinct part of these transactions, they will be considered as they must have appeared at the time; for, I believe, where war is concerned, few men in command would stand acquitted, if any after-knowledge of facts
and

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and circumstances were brought in argument against decisions of the moment, and apparent exigencies of the occasion.

I submit all I have said, some of it, I fear, not sufficiently prepared or arranged, with true respect to the committee. I shall not mention *all* the disadvantages, under which I have pressed this business upon their attention. I have cause to regret the absence of a most confidential friend in Major General Phillips; zealous advocates, I trust, in Major General Reidesel and Brigadier Hamilton. Much of my vindication is in the grave with General Fraser; much with Colonel Ackland your late member. I trust my zeal, in promoting this enquiry, as I have done, will be one mark of the sense I bear of the general character of this house; that however men may be biased by political attachments upon common occasions, when the honour of an individual is committed to their hands, they will alone be guided by truth and justice. And the next inference I should wish to be drawn, from my earnestness for a public appeal, is this; that however others may impute errors to my conduct, I am myself conscious of the rectitude of my intentions,

EVIDENCE.

EVIDENCE.

Jovis 20^o die Maij, 1779.

Committee to consider of the several Papers which were presented to the House by Mr. De Grey, upon the 19th Day of March last, pursuant to their Address to his Majesty.

Mr. F. Montagu in the Chair.

SIR GUY CARLETON was called in and examined by General Burgoyne as follows :

Q. DO you recollect having received a letter from the secretary of state, mentioning the reasons that made it expedient for you to remain in the province of Quebec ? 1.

A. Yes, very well.

Q. What was the date of it ? 2.

A. I think the 12th of August, 1776—I am sure it was in August.

Q. Was not the date of that letter long before the return of General Burgoyne from Canada to Great Britain ? 3.

A. Yes.

Q. During the winter, preceding the campaign of 1777, was not the artillery prepared at Montreal for field service, upon the supposition that you was to command the army beyond the frontiers of the province ? 4.

A. It was.

Q. Was the proportion allotted to General Burgoyne for field service more than was intended, had you so commanded ? 5.

A. I don't precisely recollect that—It does not strike me there was any great difference.

Q. Was the quantity of artillery decided on in concert with Major-General Phillips, and on his recommendation ? 6.

A. The artillery I had prepared for the campaign, on a supposition that I was to go myself, was in concert with General Phillips. That department, as well as others, was put under the command of General Burgoyne on his arrival ; and, I suppose, he followed the same method so far as regarded the artillery.

Q. Did

7. Q. Did General Burgoyne apply to you for troops from Canada to garrison Ticonderoga when he advanced?

A. He did.

8. Q. What was the purport of your answer?

A. That I did not think myself justified to grant it by my orders—My answer will appear more precisely by a copy of my answer to General Burgoyne.

9. Q. Do you recollect that General Burgoyne informed you of the motives on which he proceeded from Skenesborough to Fort Edward by land in preference to the route by Ticonderoga and Lake George?

A. I do.

10. Q. Did you concur in his sentiments?

A. I remember my answer was an answer of approbation.

11. Q. Do you know of any circumstance of General Burgoyne's military conduct, while under your command, that you disapproved?

A. I had no reason to disapprove of any part of his conduct while under my command. [Withdraw.]

Again called in, and examined by other Members of the Committee.

12. Q. Whether, when you proposed to take that train of artillery with you that you have mentioned, it was with a view to the reduction of the forts at Ticonderoga; or whether you proposed to have taken with you the same train of artillery in case you had marched forward in the country toward Albany?

A. It was with an intention to reduce the forts and lines at Ticonderoga; the train of artillery was calculated for that service.

13. By General Burgoyne.

Q. Whether you know what proportion of artillery was carried forward by the army under General Burgoyne's command after the reduction of Ticonderoga?

A. I don't recollect.

14. Q. Would you not, in case you had reduced Ticonderoga and marched forwards towards Albany, have carried with you a train of field artillery?

A. I probably should have taken artillery with me.

15. Q. Had you foreseen a necessity of fortifying a camp at Albany, would you not have carried some guns of the calibre of twelve pounders and light twenty-fours?

A. It is really a very difficult matter off hand to run into all the minute operations of a campaign; every measure of that sort must have been a matter of consideration and deliberation,

ration, and there are a thousand circumstances that might have determined me upon the spot—I don't wish to conceal from this House any thing that I would have done—but I hope they will consider, that every gentleman may have different ideas of the state and situation of the army, as expressed by the question asked, and the least inaccuracy of expression on my part may convey ideas very different from what I could wish—In general, so considerable a corps as that was, very seldom moves without artillery, but the precise number must depend on a variety of circumstances, which the discretion and judgment of the officer who commands must determine.

Q. Were not the orders you received from government 16.
positive, for General Burgoyne to march to Albany?

A. The orders have been published I understand—Every gentleman in this House must be a judge of those orders whether they were positive or not.

Q. Did you not receive a letter, dated the 5th of April, 17.
from Sir William Howe, informing you that he could not send any force to assist the operations of General Burgoyne's army?

A. I received a letter from Sir William Howe relative to his operations, a copy of which was sent to General Burgoyne—I think it was not just in those terms, but a copy of the letter is on the table.

Q. Whether on that information, you considered that you 18.
had any discretionary power to detain General Burgoyne after that information?

A. Certainly not.

Q. Whether in case of any difficulty that General might 19.
meet with on his march, there was any latitude given him (General Burgoyne) to retreat?

A. I said before, that the orders were before the House, who are competent to judge on that point.

Q. Did you yourself understand those orders to General 20.
Burgoyne to be positive?

A. That is giving an opinion upon what perhaps may be a question in the House; whereas I have already said, the House are as competent to judge as I am.

Q. Is the Committee to understand from that answer, that 21.
you have any objection of giving your opinion on that question?

A. I have an objection to give an opinion on almost all points.

Q. Did

22. Q. Did you give it in orders to General Burgoyne, in case he met with any difficulties during his march in Canada, under your command, not to proceed?

A. I should have taken care that General Burgoyne met with no difficulties in his march in Canada; nor do I well see how he could.

23. Q. Where do the boundaries of the province of Canada end?

A. Between the Illinois and Point au Fer.

24. Q. Is the fortress of Ticonderoga in Canada?

A. No.

25. Q. Did your commission, as commander in chief of the troops in the northern division, extend beyond the boundaries of Canada to Ticonderoga?

A. That commission as commander in chief, I understood, did extend so far; but by the orders already alluded to, or by those which General Burgoyne brought out in the spring 1777, I understood that my command was restrained to the limits of the province, and that General Burgoyne was entirely from under my command, as soon as he passed the limits of the province.

26. Q. Did you apply to the secretary of state for a reinforcement of 4000 men, as necessary for the campaign of 1777?

A. I recollect when General Burgoyne was coming home in the fall of 1776, as I was perfectly satisfied with his conduct in the preceding campaign, I talked over with him, in confidence, what I thought necessary for the following campaign; among other things I desired him to make a memorandum to demand 4000 men, as a reinforcement for the ensuing campaign, or at least for four battalions. I think I have seen those memorandums were accurately stated and laid before the House.

27. Q. What part of that 4000 men which you thought necessary for the campaign of 1777, was actually sent out to Canada in that year?

A. I do not accurately remember how many—I think a very small part—You may have a very precise account from the returns.

28. Q. Of that small part sent in 1777, did not a certain proportion arrive very late in the year?

A. Yes, a part arrived late.

29. Q. After you had received your orders from the secretary of state, did you apprehend that General Burgoyne, as long as he was within the province of Canada, was positively under your command?

A. Yes

A. Yes, I did : as long as he was in the province of Canada, I looked on him to be positively under my command ; but the load of the expedition being on his shoulders, I thought it proper that he, in all things should direct ; and therefore I gave out immediate orders, that not only the troops he was to command out of the province, but all the departments necessary for the assisting his expedition, should comply immediately, and without delay, with every requisition and order he should give. The reason of my doing so was, that no time might be lost. I only required that they should report to me what orders they had received from General Burgoyne. I believe those orders are also on the table.

Q. Will you explain to the Committee what you mean by 30.
the words, *load of the expedition lying on General Burgoyne's shoulders* ?

A. I had no particular meaning ; they are words I should have used on any expedition of importance.

Q. If General Burgoyne had met with very considerable 31.
difficulties to impede his progress within the province of Canada, would you have thought yourself justifiable in giving any orders to General Burgoyne, different from those transmitted to General Burgoyne, through you, from the secretary of state ?

A. Had there been any difficulties in Canada, I would not have given him up the command.

Q. Having given up the command to General Burgoyne, 32.
and having ordered all the troops to obey him, only reporting their proceedings to you, would you after that, have thought yourself justifiable to change the order to General Burgoyne, upon his meeting with great difficulties on the frontiers of the neighbouring provinces ?

A. I really did not mean to evade the question in the least. It did not appear to me possible that there could be any difficulties. I don't mean to say there could not, from the nature of the country, be difficulties in the march that might occasion delay, but by the nature of the question I understood difficulties from the enemy. In that case I should not have thought myself justifiable in giving up the command.

Q. If you had heard; that on the frontiers, and within 33.
the province of Canada, there was the greatest reason to think, that the resistance of General Burgoyne's army was so great as to make it, in your opinion, exceedingly difficult for that general to force his way to Albany, would you think yourself justifiable in giving different orders to General Bur-
D
goyne,

goyne, from those given by the secretary of state ; or would you have thought the secretary of state's orders for General Burgoyne's army so peremptory that it would not be proper for you to interfere ?

A. If I understood the question as it now stands, it is what I would have done, had the province been invaded, or close on the point of being invaded, and the enemy entering the province.

34. Q. The question does not mean an invading army, but a resistance from the enemy to the progress of General Burgoyne's army, in the case stated in the last question ?

A. In that case, that an enemy should be found (within the limits of my command) I should have ordered all the troops destined for the defence of the province, to have immediately joined those destined for General Burgoyne, and have reassumed the command of all, until those obstructions had been removed, within the limits of my authority.

35. Q. Suppose no enemy within the province of Canada, but posted in such a manner upon the line of communication with Albany, as to make it exceeding difficult for General Burgoyne to obey the orders given to him, would you think yourself justifiable in giving different orders to General Burgoyne, from those given by the secretary of state ; or would you have thought the secretary of state's orders for General Burgoyne's army so peremptory that it would not be proper for you to interfere ?

A. I could not change General Burgoyne's orders one tittle, that was my opinion ; he received his orders from the same power that gave me my authority ; when once he passed the limits of my command, I neither could give him orders, nor would he be justified in obeying them.

36. Q. Do you mean the latter part of that answer as an answer to a question which supposes General Burgoyne within the limits of the province of Canada ?

A. No : while he was within the limits of the province of Canada, I would have given General Burgoyne orders in all cases of difficulty and danger. There being no such case when General Burgoyne arrived in Canada, in 1777, nor a possibility of an event of that sort, I put the troops and all things under his command, which concerned his expedition, that he might arrange and combine their motions according to his own plan of operation for the campaign, that no time might be lost by any unnecessary applications to me, which

which the strict forms of my command might otherwise require.

[*Withdrew.*]

Again called in.

Q. Should you, if you had been in General Burgoyne's situation, and acting under the orders which you know he received, have thought yourself bound to pursue them implicitly, or at liberty to deviate from them? 37.

A. I should have certainly thought myself bound to have obeyed them to the utmost of my power; but, to say as a military man, that in all cases possible, I must have gone on, is a very nice thing to say indeed; it must have thrown me, and I suppose every officer, into a most unpleasant and anxious situation, to have debated within himself, whether he was or was not to go on. Every man must decide for himself. What I would have done, I really don't know; the particular situation, and a man's own particular feelings, must determine the point. If I might be indulged, I would beg leave to say, that I did not mean to evade any question; I meant to answer directly; yet questions may be put to me, of so delicate a nature, and perhaps no man in the world is in a more delicate situation, with respect to the present case in question, and the business of this Committee, than I am; when such questions are put to me, I shall pray the indulgence of the Committee, to be excused answering them, but I will not evade them. As I now understand the meaning of the right honourable member in the former questions to be, Whether I should have taken upon me to supersede the King's orders, supposing I knew of any unsurmountable difficulties in the way, as that I had information of 20,000 men at Ticonderoga, before General Burgoyne left the province of Canada, I should have told General Burgoyne my information? But it was General Burgoyne who was to carry the orders into execution, and not me, and therefore it was upon his own judgment he was to determine; I should have given him my opinion, but I think I had no right to give him orders under those circumstances.

Q. Who was it that made the arrangement and distribution of the troops that were to be left for the defence of Canada, independent of those under the command of General Burgoyne? 38.

A. The orders that are before the House are very full, and I thought very clear. The Committee will see in those orders the troops that were destined for General Burgoyne's expedition,

expedition, and the troops that were to remain for the defence of the province.

39. Q. Who made that distribution ?

A. It came to me from the secretary of state.

40. Q. Did not the orders from the secretary of state go to the detail of the smallest posts within the province ?

A. The letter is before the Committee.

41. Question repeated.

A. I should beg for the letter to be read ; I don't wish to avoid any question, but I wish to be accurate.

42. Q. Was the distribution of the troops prescribed to you by the secretary of state, or left to your discretion ?

A. In mentioning the number of troops which were to remain in that province, it was there said, that those troops would be sufficient for garrisoning such and such places, particularizing them.

43. Q. Did you ever know an instance, in your military life, of a minister making a distribution of troops for the defence of a province, without taking the opinion or leaving a great deal to the discretion, of the governor of that province, that governor being an acting military officer of very high rank ?

A. I never had the honour to correspond with a secretary of state, till I was appointed to the command of that province.

44. Q. Whether you was consulted upon the practicability of penetrating from the frontiers of Canada to Albany by force, with the strength allotted to General Burgoyne for that purpose ?

A. No ; I was not.

45. Q. Are you acquainted with the passage from New York to Canada by the Hudson's river ?

A. I have gone that way.

46. Q. Have you observed it with a view to military operations ?

A. No ; I never made the tour having any military operations in view.

47. Q. Are you acquainted with the forces which Sir William Howe had under his immediate command at and about New York, on the 17th of July, 1777 ?

A. I am not.

48. Q. Supposing Sir William Howe had 12,000 effective men, besides a sufficient force lodged in New York, Staten Island, and Long Island, to defend them against General Washington's army, supposing General Washington's army in the Jerseys, near Quibble Town, and that Sir William Howe had

had received accounts of General Burgoyne's success at Ticonderoga, and was acquainted with the orders under which General Burgoyne acted, is it your opinion that the best movement Sir William Howe could have made for the purposes of forwarding the execution of the orders, under which General Burgoyne acted, would have been to have sailed with his army from New York to Chesapeak Bay?

A. Had I had the honour to have commanded on that side, I do not know what I should have done myself.

Q. After you received the letter from Sir William Howe, 49. informing you of his intended expedition to the southward, whether you did expect that Sir William Howe's army could co-operate on the Hudson's River with the northern army that season?

A. I don't know.

Q. Whether you thought, after the receipt of that letter, 50. that it was probable there would be a co-operation from the southern army?

A. I took it for granted, that Sir William Howe knew what he was about, and would do what he thought best for the public service. I really was so little informed of all the particular circumstances of his situation and of the provinces under his command, that I could form no judgment of the propriety or impropriety of his conduct, or of the effects of his measures.

Q. Did your information lead you to believe, that the in- 51. habitants between Saratoga and Albany, were so well affected to his Majesty and Great Britain, as that there would be much advantage derived from their assistance to the King's army in the prosecution of General Burgoyne's expedition?

A. I had frequent accounts from that part of the country, that there were numbers ready to take arms and join the King's troops if they should penetrate so far.

Q. Do you mean, by *penetrating so far*, to Albany, or to 52. the length the army got?

A. The whole extent of the inhabited country, according to the information brought to me.

Q. Had you no information that a formidable militia 53. might be raised in that country to oppose his Majesty's arms?

A. Yes; I had such information.

Q. Did you think that the force which General Burgoyne 54. carried with him from Ticonderoga towards Albany was sufficient to oppose such force?

A. I really must beg leave to be excused answering that question.

55. Q. If you had been consulted respecting General Burgoyne's expedition, knowing the nature of that country, and the force General Burgoyne had, would you or not have advised such an enterprize?

A. If I had had the honour to command in that campaign as I had in the former, I don't precisely know what I should have done myself.

56. Q. Did you give any advice for employing the savages?

A. I don't recollect that I said any thing about them.

[*Withdrew.*]

Jovis 27^o die Maii, 1779.

EARL of BALCARRAS called in and examined by General Burgoyne.

1. Q. IN what station did your Lordship serve in the campaigns in America, in 1776, and in 1777?

A. I commanded the British light infantry.

2. Q. Was the British light infantry continually attached to the corps under the command of Brigadier General Frazer?

A. Yes.

3. Q. Had you occasion to observe that General Burgoyne and General Frazer lived together in friendship and confidence?

A. Yes; I had.

4. Q. Had you reason to believe that General Frazer was consulted by General Burgoyne in all material operations?

A. I had reason to believe that General Frazer was consulted in many material operations.

5. Q. Does your Lordship know or believe that the proportion of artillery, attached to General Frazer's corps through the whole campaign, was according to his requisitions and desires?

A. I understood from General Frazer, that the proportion of artillery allotted to him was agreeable to his own requisitions.

6. Q. Do you recollect the number of killed and wounded in General Frazer's corps, at the affair of Huberton?

A. I don't recollect exactly; I think it was about 150.

7. Q. What was your opinion of the behaviour of the enemy on that day?

A. Cir-

A. Circumstanced as the enemy was, as an army very hard pressed in their retreat, they certainly behaved with great gallantry.

Q. Was it practicable, the nature of the country, the 8. fatigue of the King's troops, the care of the wounded, and other circumstances considered, to have pursued the enemy farther after that action?

A. It was not.

Q. Do you recollect on what day General Frazer's corps 9. rejoined the army at Skenesborough?

A. On the 9th of July; I think that it was on that day.

Q. On what day was the action at Huberton? 10.

A. On the 7th of July.

Q. Do you recollect the difficulties of removing the 11. wounded from Huberton to the hospital at Ticonderoga?

A. From the distance and badness of the roads, the difficulties attending the removing of the hospital must have been very great.

Q. Was it practicable, unless the wounded had been left 12. exposed to the enemy, to have rejoined the army sooner?

A. It was not.

Q. Does your Lordship recollect how the army was em- 13. ployed between that time and the march to Fort Edward?

A. The British were employed in opening the country and making roads to Fort Anne; the Germans under General Reidesel were detached about fourteen miles to the left.

Q. Do you recollect the post the enemy abandoned upon 14. the ascent from the Low Country to the Pitch Pine Plains, in the march from Fort Anne to Fort Edward?

A. I do recollect such a place.

Q. Had the enemy maintained their ground on that post, 15. do you apprehend that a considerable portion of artillery would have been necessary to dislodge them?

A. Artillery would certainly have been of great use to dislodge the enemy.

Q. Did you ever see an instance, during your service in 16. America, that the rebels continued twenty-four hours on the same place without entrenching; and was it not also their general practice to add abbaties to their entrenchments?

A. The rebels were always indefatigable in securing themselves by entrenchments, and in general they added an abbatie to those entrenchments.

Q. Do you remember the position the enemy abandoned 17. at Schuyler's Island?

- A. I do remember to have passed such a post once.
18. Q. Does your Lordship think that position could have been forced without a numerous artillery or heavy loss?
- A. I do not think it could.
19. Q. From the nature of that country, do you think that post could have been turned?
- A. Not without greatly risking the boats and portable magazines.
20. Q. Is it possible at any time in that country, and with a small army, to quit the navigable rivers, without leaving the boats and portable magazines exposed?
- A. I imagine it is not.
21. Q. Did you live in habits of intimacy and communication with General Fraser?
- A. I did.
22. Q. Was General Fraser of a warmth and openness of temper that generally made him communicative of his sentiments, when they differed from the sentiments of those with whom he acted?
- A. General Fraser's temper was warm, open, and communicative, but reserved in matters of confidence.
23. Q. Did you ever hear General Fraser express disapprobation of the measure of passing Hudson's River?
- A. I never did.
24. Q. Was not a bridge constructed of rafts, and some boats thrown over that river, a little before the time of the attack on Bennington?
- A. There was.
25. Q. Did not General Fraser's corps pass the river by that bridge, and take post on the heights of Saratoga?
- A. It did.
26. Q. Do you remember that bridge being carried away by the torrents and bad weather, whereby the communication was cut off between that corps and the main body of the army?
- A. I do.
27. Q. Was General Fraser's corps recalled after that action, and obliged to repass the river in boats and scowls?
- A. It was.
28. Q. Do you remember General Fraser expressing his sorrow for being obliged to return back over the Hudson's River?
- A. I remember General Fraser mentioning it with regret.
29. Q. Had the rear guard of General Fraser's corps been attacked during that passage over the river, would not a powerful

powerful fire of artillery from the opposite shore have been of great use, if not the only means of protecting them?

A. If the enemy had attacked General Frazer, they would have found him in a very bad posture; it was impossible to take a better, and, as they could not be supported by the line, the only means of safety must have been to get under cover of the fire of our artillery.

Q. Was there not an expectation and impatience of the troops in general to pass Hudson's River, and advance on the enemy?

A. There was.

Q. Was there not a general confidence and alacrity on the occasion?

A. There was.

Q. From these circumstances, and your other knowledge of the army, do you not believe that to have made no further attempt on the enemy would have caused disappointment and dejection in the troops, and reflections on the general?

A. The troops were in the highest spirits, and wished to be led on.

Q. Does your Lordship recollect the march up to the enemy on the morning of the 19th of September?

A. I do.

Q. Was the combination of the march such, as, notwithstanding the passage of the ravines and the thickness of the woods, the column of General Frazer's march, and that of the British line, led by General Burgoyne, were in a situation to support each other, and speedily to form in line of battle, at the time the enemy began the attack?

A. After the columns had passed the ravines, they arrived at their respective posts with great precision in point of time, and every fortunate circumstance attended the forming of the line.

Q. How long did that action last?

35.

A. The British were attacked partially about one o'clock. The action was general at three, and ended at seven o'clock.

Q. From the nature of the country, was it possible to discern the enemy's position or movements, to form any judgment what attacks were in force, and what were feints?

A. I think not.

Q. Did we remain masters of the field of battle?

37.

A. We did.

Q. Had

38. Q. Had the field of battle been well disputed by the enemy?

A. The enemy behaved with great obstinacy and courage.

39. Q. Was it too dark to pursue with effect at the time the action ended?

A. It was.

40. Q. Did the King's troops take up ground nearer to the enemy, the morning after the action?

A. It was rather nearer the enemy.

41. Q. How near were the out-posts of General Fraser's corps to the out-posts of the enemy from that time to the action of the 7th of October?

A. I should imagine within half a mile.

42. Q. From the nature of the country, and the situation of the enemy's out-posts, was it possible to reconnoitre their position?

A. From the nature of the country, the difficulties attending the reconnoitering must have been very great.

43. Q. Were not the riflemen, and other irregulars, employed by the enemy at out-posts and on scouts, an overmatch for the Indian or provincial troops that were with the army at that time?

A. They were.

44. Q. Was not General Fraser's corps continually at work during the interval above-mentioned, in securing their own posts, and opening the front to oppose the enemy?

A. They were.

45. Q. After General Fraser received his wound, on the 7th of October, on whom did the command of his corps devolve?

A. On me.

46. Q. Was you in a situation on that day, to observe the general disposition of the army, made by General Burgoyne, previous to the action?

A. I remember two redoubts having been erected on the left, to cover the boats and provisions to enable General Burgoyne to make a detachment from his army.

47. Q. Was you in a situation to observe the disposition made immediately before the attack by the enemy?

A. I only recollect the situation of the two battalions of the advanced corps.

48. Q. After the retreat to the lines, were the lines attacked, and with what degree of vigour?

A. The lines were attacked, and with as much fury as the fire of small arms can admit.

Q. Does

Q. Does your Lordship remember that part of the lines 49. where you commanded, being visited by General Burgoyne during the attack?

A. I don't recollect to have seen General Burgoyne.

Q. Was the cannon of great use in the repulse of the 50. enemy in your post?

A. Of very great use.

Q. Do you think that post would have been tenable next 51. morning, the enemy having possession of Colonel Briemen's post?

A. I do not think it would.

Q. Would the possession of the post by the enemy, toge- 52. ther with the possession of Colonel Briemen's posts, have laid open the flank and rear of the camp of the line?

A. It would.

Q. Was the retreat in the night, and the new disposition 53. of the whole army made in good order and without loss?

A. It was.

Q. Did the army remain under arms, and in momentary 54. expectation of battle, the whole of the day of the 8th?

A. It did.

Q. Do you remember the confusion and difficulties at- 55. tending the line of baggage in the retreat, in the night of the 8th?

A. I do.

Q. Was not the retreat nevertheless made in good order 56. by the troops, and without loss?

A. It was.

Q. Does your Lordship remember the weather, the state 57. of the roads, the state of the cattle, and the difficulty of passing the Fish Kill, in the retreat to Saratoga, in the day and night of the 9th?

A. It rained incessantly, consequently the roads were bad; the cattle were nearly starved for want of forage, and the bridge over the Fish Kill had been destroyed by the enemy; the troops were obliged to ford the river.

Q. Had there been no enemy to oppose us, or no bridge 58. or roads to repair, would it have been possible, from the state of the fatigue of the troops, to have continued the march farther immediately after the arrival at Saratoga?

A. The troops were greatly fatigued, and the artillery had been left on the other side of the Fish Kill.

Q. Why were they left on the other side of the Fish Kill? 59.

A. The

- A. The bridge had been destroyed by the enemy; it was exceeding dark, and I do not know whether the ford was passable for the artillery without being first examined.
60. Q. Do you remember the enemy opening a battery on the opposite side of Hudson's River, and the circumstances attending the opening that battery?
- A. The corps I commanded was at that time posted, and they fired on us at that time, but I do not know from what direction.
61. Q. Does your Lordship remember the shot from that battery going over the table when you and several officers were at dinner?
- A. I did not dine with General Burgoyne that day—I recollect hearing a cannon shot had discomposed the company at the general's table.
62. Q. Consequently must not that battery have commanded the ford over the Hudson's River?
- A. I believe I said, I did not recollect from what direction the shot came, but they had a battery which commanded that ford.
63. Q. Do you recollect on what day you was called, with other commanders of corps, to the first council of war?
- A. On the 13th of October.
64. Q. Was there a spot in the whole position to be found for holding that council, which was not exposed to cannon or rifle-shot?
- A. We were not so fortunate as to find one.
65. Q. Do you recollect that General Burgoyne, after stating to the council the difficulties of the situation, declared, that nothing could induce him to propose terms to the enemy without the general concurrence of the generals and field officers of the army, and that he was ready to take the lead in any measure they should think for the honour of the British arms, or words to that effect?
- A. I remember words to that effect.
66. Q. Was the concurrence unanimous for treating on honourable terms?
- A. I hope I shall stand justified with the members of that council, when I have the honour to declare to this House, that our situation appeared to them so decided as not to admit of one dissenting voice.
67. Q. When Colonel Kingston brought back the first proposition, wherein it was specified by Major General Gates, that the army should lay down their arms in their intrenchments and

and surrender prisoners of war, does your Lordship remember, that General Burgoyne, when he read them to the council, declared, he would not set his hand to those conditions, or words to that effect?

A. I think the words of the proposal from General Gates were, That the British army should be ordered, by word of command from their adjutant general, to lay down their arms in the entrenchments. It was rejected with disdain by General Burgoyne, and the council concurred in his indignation.

Q. Were the counter-proposals, penned by General Burgoyne, unanimously approved of?

A. They were.

Q. When those proposals had been agreed to by General Gates, but copies not signed by either party, do you remember General Burgoyne informing the council of intelligence he had received from a spy in the night, and submitting to their consideration, whether it was consistent with public faith, and if so, expedient to suspend the execution of the treaty and trust to events?

A. I do remember it.

Q. Does your Lordship recollect what was the result of that consideration?

A. The determination of the council, on the question being put, was, that the public faith was *bona fide* plighted.

Q. Though that was the opinion of the majority, was there not a difference of opinion in the council?

A. There was.

Q. Were the opinions of the several commanding officers asked respecting the condition of their respective corps, and what might be expected from them severally in desperate cases?

A. It was.

Q. Was there not on that question also difference of opinion?

A. There was.

Q. After the Convention took place, did your Lordship see the army of General Gates pass in review before General Burgoyne and General Phillips?

A. I did.

Q. From the manner and silence of their march, the order observed in keeping their divisions, and an apparent attention to their officers, did that army appear disciplined?

A. They marched in good order and were silent, and seemed

seemed to pay attention to their officers. These are essential points of discipline, but I saw nothing farther of it.

76. Q. From the general behaviour of the rebel troops in the different actions in which you was present in the course of the campaign, did you think them disciplined and respectable troops?

A. When I answered the last question, I spoke to the manoeuvre I saw upon the spot. At all times when I was opposed to the rebels, they fought with great courage and obstinacy.

77. Q. Judging by your eye, and the time the rebel army was marching in review, did you form any judgment of their number?

A. It requires great experience to make a computation of numbers by seeing them pass: as far as I could judge on the occasion, they seemed to me to amount to thirteen or fourteen thousand rank and file under arms.

78. Q. Has your Lordship reason to know or believe, that the troops that passed in review were exclusive of those corps that had been posted on the other side of the Hudson's River?

A. They were exclusive of those corps.

Examined by other Members of the Committee, and by General Burgoyne occasionally.

79. Q. What was the general opinion of the army of General Burgoyne's behaviour in action and in difficulty?

A. It appeared to me, that General Burgoyne always possessed himself in every situation of danger and difficulty, and I may venture to say, it appeared so to the army.

80. Q. Had General Burgoyne the confidence of the army?

A. He had.

81. Q. After the arrival of the troops at Cambridge, were the officers and soldiers of the army satisfied with the general's efforts to contribute to their comfort, and redress their grievances?

A. They were.

82. Q. Was the army satisfied with the general's behaviour at the court-martial held on Colonel Henley?

A. He carried on that prosecution in person, and as such they were satisfied with him.

83. Q. Did your Lordship ever hear any officer or soldier of that army express any dissatisfaction at the general's returning to England?

A. I did not.

84. Q. Does your Lordship think that the officers of that army

my wish to have their respective merits stated to their Sovereign, by the general in person who had the honour of commanding them?

A. It was the wish of that army that General Burgoyne should go to Europe, to justify not only his own conduct, but the conduct of the army he commanded.

Q. Does your Lordship apprehend, that the return of 85. General Burgoyne to that army, under personal disgrace, and without any distribution of preferment among the distinguished officers of that army, would be any sort of consolation to the troops under captivity?

A. General Burgoyne, at all times, shared the dangers and afflictions of that army in common with every soldier; as such they looked on him as their friend, and certainly would have received him in person, or any accounts of him, with every mark of affection.

Q. Your Lordship having said that if the rebels had main- 86. tained their post, at the ascent from the Low Countries to the Pitch Pine Plains, in the march from Fort Anne to Fort Edward, artillery would have been of great use to dislodge them; will your Lordship say what kind of artillery, of what calibre, would have been necessary for that purpose?

A. Any of the artillery officers now under the order of the House can give a much more satisfactory answer to that question than I possibly can.

Q. Did you see that post?

87.

A. I think I said I did see it.

Q. With what kind of work was that post fortified?

88.

A. I spoke of it merely from its situation.

Q. Were there then any works or none?

89.

A. I don't recollect there were any works.

Q. If the army, after taking Ticonderoga, had been em- 90. barked, and proceeded directly to South Bay, would there have been any occasion to have attacked the post at Pitch Pine Plains at all?

A. The army did proceed by South Bay, excepting a detachment of General Fraser's corps, and some Germans to support him; and the army assembled at Skenesborough on the 9th or 10th of July.

Q. Was it necessary to go to the post at Pitch Pine Plains, 91. in order to go to South Bay?

A. They had no sort of connection with each other.

Q. Might not the army have proceeded to Fort Edward, 92.

and

and omitted the attack of that pass, supposing it had been meant to be defended?

A. There were two routes to Fort Edward. General Burgoyne might still go the same route without any necessity of attacking that post, as there might have been many different ways of dislodging the enemy from that post without attacking it.

93. Q. In how many instances do you remember the rebels defending their intrenchments after they had made them?

A. We never got a view of any of their intrenchments but such as they had voluntarily abandoned.

94. Q. Is it then to be understood that they never defended any entrenchments?

A. They never did.

95. Q. Did you ever hear General Fraser express his approbation of the passing the Hudson's River?

A. I never did.

96. Q. Did you ever hear General Fraser express his approbation of the Bennington expedition?

A. That detachment was made, and the business concluded, before I ever heard of the project or execution.

97. Q. Have you occasion to know, when the first detachment was sent out under Colonel Baume, where they were ordered to rejoin General Burgoyne, after they had performed the service they were sent on?

A. I don't know.

98. Q. Whether, in your Lordship's opinion, after the loss the rebels had sustained over night, in the action of the 19th of September, if they had been attacked briskly at break of day, the next day, there was a probability that they could have stood their ground?

A. I have not hesitated to give an opinion upon supposed matters, which must have been attended with evident and demonstrable consequences; but I beg the indulgence of the House in declining to give any opinion upon any question relative to speculation or judgment. Had any general officer of that army under General Burgoyne been present in this country, I should have confined myself merely to the manœuvres of the corps I commanded. As there is no general officer here, I wish to give this House every information consistent with my rank in the army.

99. Q. Had you any information that might indicate to you that the rebels were prepared to decamp after the action of the 19th of September?

A. I

A. I was ignorant of any such intelligence being received.

Q. Had you any information of their baggage being packed up? 100.

A. I have already answered, that I had no information at all about it.

Q. In the action of the 7th of October, on which side did the rebels force our lines and make a lodgment? 101.

A. The lines to the right were stormed and carried.

Q. Were the lines attacked to the left? 102.

A. To the left of that post they were, but not to the left of the army.

Q. Did not the possession of Fort Edward, and the country thereabouts, cut off the retreat of any garrison that might have been in Fort George? 103.

A. It undoubtedly did?

Q. Had the army proceeded to Fort George by Ticonderoga and Lake George, might not the enemy have remained at Fort George till the trenches were opened, and have still had their retreat secure? 104.

A. That is a matter of opinion upon speculation.

Q. Do you not think that the British army, being well provided with artillery, was a probable reason for their not defending entrenchments? 105.

A. The reason they did not defend their entrenchments was, that they always marched out of them and attacked us.

Q. Does your Lordship think it would have been advisable, in point of prudence, or just to brave troops, who had suffered severe loss, to attack an enemy the morning after that loss, posted within entrenchments, which it was impossible to reconnoitre? 106.

A. That attempt was tried on the 7th of October, and did not succeed.

Q. Were not the enemy reinforced between the 19th of September and the 7th of October? 107.

A. I think it is likely they were.

Q. Were they likely to be in better spirits to repel an attack the day after they had been repulsed with great loss, or when they had been reinforced, and seen an army lie three weeks inactive in their camp? 108.

A. I do not judge of the spirit of the enemy but when I was opposed to them myself.

Q. On the first day of the action, when the enemy was repulsed 109.

repulsed on the 19th of September, had not our army suffered very considerably?

A. They suffered very considerable loss.

110. Q. Was not the army recruited, and in better order, on the 7th of October, than they were on the 20th of September?

A. Numbers of the men who had been wounded and disabled in the action of the 19th, joined their corps on the 7th of October.

111. Q. Was the behaviour of the enemy, opposed to your Lordship, in the actions you have seen, such as to make them contemptible in the eye of a soldier?

A. I have already mentioned, that they fought at all times with courage and obstinacy.

112. Q. Whether the behaviour of the enemy was such as to make advantages obtained by them over his Majesty's troops more humiliating and disgraceful to the British arms than the same advantages obtained by an equal number of any other troops?

A. I myself felt more humiliation until I considered that those advantages proceeded from the nature of the country, and not from the want of zeal or bravery in the British troops?

113. Q. Whether the enemy's troops were such bad troops as to make it more disgraceful to have an advantage obtained by them over the King's troops than by the like number of any other enemy over a like number of his Majesty's troops in the same circumstances of country?

A. The advantages gained by the rebels over the British troops proceeded from their local situation, and not from the want of courage in the British troops. We were taught by experience that neither their attacks nor resistance was to be despised.

114. Q. Did you ever serve against any other troops?

A. I commenced my service in America.

115. Q. Whether the army under General Burgoyne, in general, expected co-operation in their efforts to go to Albany, from the army under the command of Sir William Howe?

A. General Burgoyne gave it out in general orders, that he had every reason to believe that powerful armies were acting in co-operation with the army he had the honour to command.

116. Q. Do you know at what time that order was given out?

A. The

A. The adjutant general's books will shew it: I think it was about the 3d of October.

Q. Does your Lordship believe that if the army under 117. General Howe had co-operated up the North River with the army under General Burgoyne, that the army under General Burgoyne would have been obliged to have made the convention it did?

A. That is a matter of judgment. The army looked forward to that co-operation, which they were led to understand, by the orders General Burgoyne had given out, with pleasure.

Q. What was the general opinion of the officers of the 118. army in which you served, on that subject of co-operation?

A. I do not think my rank in the army entitles me to give my opinion on that subject; I shall still less presume to give that of others.

[Withdrew.

Then he was called in again, and several parts of the examination, particularly that which immediately follows the place where it is said that his Lordship was examined by other members of the Committee, were read, and then the last question which was put to his Lordship immediately before he withdrew, was repeated, with this addition, "To the best of your recollection and information."

119.

A. I have already declined answering that question.

Q. When did you first know that there was to be no co- 120. operation from General Howe's army, and that Sir William Howe had carried his army to Chesapeak Bay?

A. I did not know that we were to expect no co-operation, until after the convention was signed.

Q. When did you first hear that Sir William Howe was 121. gone to the southward?

A. It was reported so in the army about the beginning of the campaign, before we crossed the river.

Q. When was that report first confirmed so as to make it 122. a matter of belief?

A. I never knew it was confirmed at all.

Q. Whether you yourself was not surprised or disappoint- 123. ed, or both, when you first understood that there was not to be any co-operation from Sir William Howe, but that Sir William Howe's army was gone to Chesapeak Bay?

[Withdrew.

Again called in.

Q. Whether you yourself was surprised or disappointed, 124. or both, when you first heard that Sir William Howe's army was gone to Chesapeak Bay?

EVIDENCE. [Earl of Balcarras.]

A. I neither knew the object of the campaign nor its expectations, and therefore cannot speak to any manœuvre of which I could not know the tendency.

125. Q. Did the army in general express themselves pleased at the news of Sir William Howe's being gone to Chesapeak Bay?

A. The answer to the last question, as it relates to me in particular, relates to them in general.

126. Q. Whether your Lordship, as a matter of fact, in the consideration you had in the army, on the news of Sir William Howe's being gone to Chesapeak Bay, heard those you conversed with express themselves pleased, or talk of that expedition to Chesapeak, as a powerful co-operation with General Burgoyne?

A. I think that question is fully answered in the two preceding ones.

127. Q. Whether you did not think General Howe's fighting General Washington's grand army at the battle of Brandywine, was a very capital co-operation with the army under General Burgoyne?

A. I was not at Brandywine.

128. Q. Whether you was not surprised when you returned home to this country, to learn that the secretary of state for the American department, had information from General Howe, of his intentions of going to the southward, before General Burgoyne departed from this country, and never communicated that information to General Burgoyne before his departure for Canada?

A. I have the honour to stand before this House as a military man, and not as a politician, and cannot answer any question but those relative to my own profession.

129. Q. What was your Lordship's opinion of the spirit of your own corps?

A. The opinion I gave in the council of war, relative to the spirit of the corps I commanded was, that they were willing and zealous to undertake any enterprise that General Burgoyne would please to employ them upon.

130. Q. When advice was received that Sir Henry Clinton was coming up the North River, did you apprehend the treaty of convention had gone so far that it could not be broken?

A. My opinion was, with respect to that question, that all military negotiations were fair and justifiable, to make delays and to gain time; I therefore thought and declared my sentiments, that General Burgoyne was at full liberty to break

break off that treaty in the stage it then was; and I could not conceive that the public faith was engaged, until the treaty was actually signed and exchanged.

Q. Whether the opinion of General Burgoyne, of General Phillips, of Brigadier Hamilton, and several other officers, did not coincide with your opinion in all the matters comprised in the last question? 131.
By General Burgoyne.

A. As General Burgoyne seems desirous that I should answer that question, I declare his sentiments were the same with those I have now delivered. I hope that the other members of that council will soon be in a situation to stand forward and to declare the opinion that they gave on that and every other question.

Q. When the question relative to the point of public faith was decided, by the majority of the council, was not the concurrence for signing the convention unanimous? 132.
By General Burgoyne.

A. It was.

Q. What day was it first known that Sir Henry Clinton had taken the highlands, and was coming up the North River? 133.

A. In the night of the 16th of October. [Withdraw.]

CAPTAIN MONEY called in and examined by General Burgoyne.

Q. WAS not you deputy quarter master general of the army under General Burgoyne, in 1777? 1.

A. I was.

Q. After Lieutenant Colonel Carleton returned to Canada, was you the superior officer in that department? 2.

A. I was.

Q. As such, did you make it your business from the beginning of the campaign to get a knowledge of the country? 3.

A. Whenever there was any occasion to obtain the knowledge of any particular part of the country, a party was always sent with me for that purpose, but the woods were so thick that it was impossible to go without a party.

Q. Was you well acquainted with the country between Skenesborough and Fort Edward? 4.

A. I was.

Q. How long was the army employed in making the roads practicable between Skenesborough and Fort Edward? 5.

A. About six or seven days in making the road between Skenesborough and Fort Anne, and between Fort Anne and

Fort Edward. I do not believe the army was delayed an hour on that account; there was a very good road made by the rebels the year before, between Fort Anne and Fort Edward, in which road the rebels had cut down some few trees which took the provincials in our army some few hours to clear.

6. Q. Does not the possession of the country in the neighbourhood of Fort Edward necessarily prevent the retreat of a garrison that might be in Fort George?

A. It prevents the getting off any artillery or stores; but a garrison might get through the woods, in case we were in the possession of the ground in the neighbourhood of Fort Edward.

7. Q. Did not the garrison of Fort George evacuate the fort upon the approach of the King's troops toward Fort Edward?

A. I heard they did; I was not near enough to see.

8. Q. Had the army taken their route by South Bay, Ticonderoga, and Lake George, how many bateaux do you imagine it would have taken to carry the troops solely over Lake George, exclusive of provisions and stores?

A. I think between three and four hundred, which bateaux must have been carried up out of Lake Champlain to Lake George.

9. Q. What time would it have taken, as you imagine, to have drawn those bateaux over the land, between Lake Champlain and Lake George, with the horses then at Ticonderoga?

A. I suppose a fortnight—Four hundred bateaux.

10. Q. Though there were no troops passed over Lake George, how long did it take before the first transport of provisions arrived at Fort George?

A. I can't recollect precisely.

11. Q. Considering the length of time it took to transport the provisions, without the troops, over Lake George, was not the army forwarder in their way to Albany, in point of time, by the route they took, than they could have been by the route of Ticonderoga and Lake George?

A. I have already said, that it would take a fortnight to transport the 400 bateaux from Lake Champlain to Lake George; it therefore would have delayed the army a fortnight longer than they were delayed to have returned from Skeneborough by Ticonderoga, and gone across Lake George.

Q. Was

Q. Was you commissary of horse, as well as deputy 12.
quarter master general?

A. I was.

Q. What is the nature of that department? 13.

A. It was to take charge of all the horses furnished by contract for General Burgoyne's army, by any letter of instructions from General Burgoyne. I am directed to give proper orders and directions to the drivers, furnished by that contract, for the purpose of transporting provisions and stores brought to Fort George for the use of the army.

Q. Did you report from time to time to Major General 14.
Phillips, and take orders from him, as well as from General Burgoyne?

A. Yes.

Q. Were not the orders from both the generals invariable, 15.
precise, and pressing, for using all possible diligence in forwarding the transport of provisions?

A. They were. There was one order which I will read, as it will fully answer that question: it is dated August the 18th, Duer-Camp, and is in these words; "It having been
" a practice for officers to order to be taken from the provi-
" sion train, in the service of the King for this army, the
" carts and horses, for the carrying baggage and other pur-
" poses, to avoid for the future the danger and inconve-
" niences to the service, it is in the most positive manner
" ordered, that no cart or horse are to be used but for the
" public transport of the army; nor is any officer, acci-
" dentally coming to any particular post, to interfere with
" the provision train, in any other manner than to give it
" every aid and assistance, which he is on all occasions to
" do."

Q. Was not the transport of merchandize, and even sut- 16.
lers' stores, as well as of officers' baggage, positively forbid till the transport of provision should be over?

A. There was such an order, and a seizure made of two barrels of Madeira, and two barrels of rum, which were ordered to the hospital.

Q. Do you recollect General Burgoyne's expressing, at 17.
several times, particular anxiety on the subject of expediting the transport of provisions?

A. I do remember once to have heard General Burgoyne express his concern at our not being able to bring forward a greater quantity of provision to enable him to proceed with the army.—I do recollect to have heard him say with very

great earnestness to General Phillips and Colonel Carleton, that one month's provision at that particular time (it was about the latter end of August) would be worth 100,000*l.* to Great Britain?

18. Q. Do you think that the commissary of the waggons, and other carriages, was authorised to buy or hire ox-teams wherever they could be had, and that all draught cattle taken, were appropriated to the transport?

A. He received such directions.

19. Q. How many carts and ox-teams could be mustered at any one time?

A. I think only 180 carts could at any one time be mustered; the number of ox-carts I really forget, but I believe between 20 and 30.

20. Q. About how many days' provision for the troops, and all other persons fed from the King's stores, could that number of carriages convey?

A. There never was any trial made, but if I may presume to judge from the proportion brought forward, over and above the daily consumption of the army, should suppose all those carriages would not carry more than four days' provision at most. I am speaking at random, as no trial was made.

21. Q. Did it not sometimes happen, from accidents of weather, and roads, and the tired state of the cattle, that not more than one day's provision could be brought forward in a day?

A. It did.

22. Q. How many hours did it take, one hour with another, to draw a bateau from Fort George to Fort Edward?

A. In general about six.

23. Q. Was not the unloading the carts at Fort Edward, and embarking the contents in bateaux, unloading the bateaux at the upper falls of Fort Miller, and a second time unloading them at the lower falls, dilatory as it was, a more expeditious method than it would have been to have carried the provisions the whole way in carts?

A. I do apprehend it was not possible, in the feeble state I found the horses furnished by contract, to have brought forward the daily consumption of provisions for that army down to Fort Miller. In the month of August, in the latter end of that month, at which time I was appointed a commissary general of horse, I made, on the first of September,

tember, a general muster, and found 30 horses unserviceable, from fatigue and hard labour.

Q. Was the transport of provisions at any time impeded 24. by the bringing forward the artillery from Fort George?

A. The artillery had a separate contract for horses, with which they brought forward their own stores. I don't recollect that any part of the provision-train was ever employed in bringing forward artillery or artillery stores.

Q. Was it possible, with the means we had, to collect a 25. month's store of provisions sooner than it was collected?

A. I believe not, without the utter ruin of the horses furnished by contract for the purpose of transporting stores.

Q. Was you present in the action of the 19th of September 26. ber?

A. I was.

Q. Did the enemy dispute the field that day with obsti- 27. nacy?

A. They did, and the fire was much heavier than ever I saw it any where, unless at the affair of Fort Anne.

Q. Do you know how long the regiments of the British 28. line were under that fire?

A. The three British regiments (the 20th, 21st, and 62d) were engaged from three o'clock in the afternoon till seven in the evening; and whilst I was a prisoner I heard the rebel quarter-master general say, they had nine different regiments in the field, opposed to the three British I have named.

Q. Do you know the loss the three British regiments suf- 29. tained?

A. I can't say.

Q. Do you remember the strength of the 62d regiment 30. when they came out of the action?

A. I can't speak to the particular strength of the regiment when they came out of action; but I heard that they were not 100 rank and file.

Q. How many officers were left in that regiment at the 31. end of the action?

A. I can't answer that question.

Q. From the general state of the three British regiments, 32. do you think that they would have been in a proper condition to have attacked the enemy the next morning?

A. Certainly not; nor to go on any service whatever.

Q. About what time of the day did the enemy finally give 33. way?

A. They

A. They gave way very often; finally about seven in the evening.

34. Q. Was it practicable, at that time of the evening, and in that kind of country, to have pursued?

A. I should think not.

35. Q. Was you not often employed, between the day of that action, and the action of the 7th of October, to reconnoitre?

A. I was.

36. Q. Was you able to obtain a view of the enemy's position?

A. I obtained a view of the position of the right of the rebel entrenchments.

37. Q. What was the nature of their position to the right, with regard to entrenchments?

A. They were posted on a hill that came very near the river. On the top of the hill was a strong breast-work, at the foot an abbatis.

38. Q. Did it appear to you that that wing of the enemy was attackable?

A. It is a question that is scarcely in my line of service to answer; but as there are no general officers, nor older officers than myself, who served under General Burgoyne, I hope no military man will think me presuming to give my opinion on that subject. I do think that we could not have attacked the right wing of the rebel entrenchments without risking the loss of the whole army, and with little probability of success.

39. Q. Could you obtain a view of the left wing of the enemy?

A. I never saw the left wing of the enemy's entrenchments till I was taken prisoner and conducted through their works.

40. Q. On the 7th of October was you in a situation to see the enemy advancing to the attack of your left?

A. Yes.

41. Q. Did they advance under a well served fire of grape-shot from our artillery?

A. I was in a situation that gave me an opportunity of seeing the directions of the rebels' columns; and I was very much astonished to hear the shot from the enemy fly so thick, after our cannonade had lasted a quarter of an hour.

42. Q. When the British grenadiers were forced, last from their post, what ensued?

A. I did not see the British grenadiers forced back. I saw them on their march, as I apprehended, taking a different position;

sition; at that time several of them broke their ranks, but on some aid du camps calling to them for shame, to continue their rank, they marched away to their station in good order. A battalion of Brunswickers that were on the left of the artillery quitted their ground as soon as the firing began, and, to the best of my recollection, I did not see they left a man behind them on the ground. I would add, that after some difficulty that battalion was brought to make a stand in the rear of the artillery, but in no order.

Q. Was not that battalion brought to that stand by the activity and exhortation of Major General Reidesel?

A. I did not see General Reidesel endeavour to stop the battalion; but I saw an aid du camp of his and a brigade major, with their drawn swords, keeping them up. I did see General Reidesel immediately afterwards, on the right of the artillery, with the battalion perfectly formed, and in good order.

Q. Do you imagine that the giving way of the battalion you first described was the cause that the artillery on that spot was taken, and yourself and Major Williams being made prisoners?

A. I believe it contributed, in some measure, towards the loss of the action on that day; but before Sir Francis Clarke died of his wounds, he told me that he received his wound in bringing orders for the artillery and the whole of the detachment to return to camp; and to the circumstance of Sir Francis Clarke's being wounded, I do attribute the loss of the artillery, if not the loss of the whole army.

Q. Had you an opportunity, after you was prisoner, to see the left of the enemy's entrenchments?

A. I had.

Q. Was the ground within cannon shot of the left open and commanding it?

A. All the ground I saw was cleared and entrenched.

Q. Was there not ground within cannon shot that would have commanded that entrenchment on the left?

A. There was.

Q. Had we gained possession of that ground, and been able to erect batteries of our heaviest guns, would not the whole line of the enemy have been enfiladed?

A. The ground alluded to was entrenched, and commanded the whole of the rebel camp and lines. If the army had got possession of that ground, I do not believe the rebels would have staid one hour in their camp.

Q. Did

49. Q. Did you ever hear, in conversation with the rebel officers, that General Arnold, foreseeing that inconvenience, had marched out of his lines, and attacked, without orders from General Gates?

A. I did hear that General Arnold had marched out on the 7th of October, without orders from General Gates. I did also hear that he advised the going out to meet General Burgoyne on his march, and engaging him before he approached their lines; and the reason he gave was this: If General Burgoyne should ever come near enough their lines to be able to make use of his artillery, that he would certainly possess himself of their camp; that their troops in that case would never stand any where; but if, on the other hand, the rebels should be defeated in the woods, the troops would, after that, have confidence in their works, for which reason Arnold advised risking an action in the woods before General Burgoyne came near enough to see their works.

Examined by other members of the Committee, and by General Burgoyne occasionally.

50. Q. Did not your situation, as deputy quarter master general, lead you to mix very much with the different officers of the army?

A. It did.

51. Q. What do you apprehend to have been the general opinion of the officers of General Burgoyne's conduct, as well in action as in the many trying occasions which have been stated by you at the bar?

A. They entertained a very high opinion of General Burgoyne's conduct.

52. Q. Had General Burgoyne the full confidence of the army under his command to the last moment?

A. He certainly had.

53. Q. What was the army's opinion of the rebels after their retreat from Ticonderoga?

A. The army in general did not think, after they had evacuated Ticonderoga, that they would make a stand any where.

54. Q. What was the reason given in your army for the expedition to Bennington?

A. I believe I cannot answer that question better than by reading an abstract of the General's orders the day after that action.

August 17, Dutch Camp.
"It was endeavoured, among other objects, by the expedition which marched to the left, to provide such a supply of
"cattle

"cattle as would have enabled the army to proceed without waiting the arrival of the magazines. That attempt having failed of success, through the chances of war, the troops must necessarily halt some days for bringing forward the transports."

Q. Why did the army remain from the 16th of August to the 13th of September, before they crossed the Hudson's River to engage the rebels at Stillwater? 55.

A. To bring forward a sufficient quantity of provisions and artillery, to enable the general to give up his communication.

Q. What was the opinion of the army on their crossing the Hudson's River? 56.

A. They did think it was their indispensable duty to proceed forward and fight the rebels, which we heard were then at Stillwater.

Q. Did you ever forage to the right of General Frazer's camp before the 7th of August? 57.

A. We never foraged to the right of the camp at Freeman's Farm, at any one time; on the 7th of October, while the troops were in the field, General Frazer ordered all the harnen and drivers, belonging to his brigade, to come and forage in the rear of the troops.

Q. Do you know what was General Frazer's opinion on your foraging to the right? 58.

A. I do know that General Frazer mentioned to me, on the 5th of October, that there was forage on the right of his camp; but at that time the ground on which that forage was to be met with was in possession of the rebels' advanced post.

Q. Do you think your army would have been lost, if even the expedition from New York had taken place a few days sooner? 59.

A. If the troops had arrived at New York soon enough to have enabled Sir Henry Clinton to have made his expedition up the North River a week sooner, I do conceive that our army would not have been lost.

Q. What was the opinion of the rebels on Sir William Howe's going to the southward? 60.

A. I was not acquainted enough with the rebel leaders, to hear their opinion on that question. I do not think that the peasants of the country were judges of the propriety of Sir William Howe's conduct.

Q. What

61. Q. What was the opinion of the officers of General Burgoyne's army, after it was lost, relative to the crossing Hudson's River?

A. They did think that the alternative of retreating with their army to Canada, or proceeding to Stillwater, under the necessity of giving up his communication to be an unfortunate situation; but I never heard any officers say that they thought General Burgoyne had done wrong; many said, that if they had retreated without risking an action, at the time Sir Henry Clinton was coming up the North River, the army would never have forgiven him, nor would he ever have forgiven himself.

62. Q. Was you at New York after the loss of General Burgoyne's army?

A. Yes.

63. Q. What was the opinion or the language of the military at that place, relative to Sir William Howe's expedition to Pennsylvania?

A. Whatever opinion was formed of Sir William Howe's expedition to Pennsylvania, or is formed previous to this enquiry, such an opinion must have been ill-founded, as Sir William Howe's reasons were not known, nor his instructions communicated to the public.

64. Q. From your last answer, is the Committee to understand that the opinions that were formed respecting Sir William Howe's expedition to Philadelphia, before this enquiry, were not in favour of that expedition?

Question objected to.

[Withdrawn.]

Again called in.

65. Q. You have said that the army thought it their indispensable duty to pass over Hudson's River—Why did they think that that measure was particularly their indispensable duty?

A. If the Hudson's River had not been there, the army would have thought it their indispensable duty to have gone and risked an action before they returned to Canada. If I recollect right, I said, that if the army had returned to Canada, without fighting, that the army would never have forgiven the general, nor the general have forgiven himself.

66. Q. Do you know the nature of the country, between the place where we passed the Hudson's River and Albany, on the east side of the river?

A. Yes, I do.

67. Q. Could the army have taken that route, in order to pass the river opposite or near to Albany?

A. The army could not have taken that route, as part of the

the way was a swamp, and on the right of the rebel entrenchments was a mountain very rugged, and not passable nearer than two miles from the river.

Q. Was it not a necessary consequence then, that the boats 68. must have been abandoned, if the army had taken that route?

A. I think I have said the army could not take that route; if the army had marched on the east of the Hudson's River, they could not have marched near enough to have covered their provision bateaux from the rebel force, on the west side of the river?

Q. Did the army under General Burgoyne, on their approach to Albany, expect a co-operation of the army under 69. Sir William Howe, upon the North River?

A. They did; and this is the order of General Burgoyne, given October the 3d at Freeman's Farm:

"There is reason to be assured, that other powerful armies
"are actually in co-operation with these troops; and al-
"though the present supply of provision is ample, it is
"highly desirable, to prepare for any continuance in the field
"that the King's service may require, without the delay of
"bringing forward further stores for those purposes; the ra-
"tion of bread or flour is, for the present, fixed at one
"pound."

Q. Are you acquainted with the North River, from New 70. York to Albany?

A. I am not.

Q. How many days march from Fort Edward to Albany, 71. if no interruption from an enemy?

A. I cannot answer that question, unless I am to suppose that a bridge was ready formed for the troops to pass over, on some part of Hudson's River, between Batten Kill and Fort Edward, or that there were vessels ready to transport the troops over Hudson's River.

Q. Is the distance so great between Fort Edward and Al- 72. bany, that the army could not carry provisions with them to support them during the march?

A. Certainly Albany is not at so great a distance from Fort Edward, but that a corps of troops might certainly carry provisions sufficient for the march to Albany.

Q. Was it not understood, that if you had arrived at Al- 73. bany, that the army would find plenty of provisions there?

A. It was generally believed, and I believe it myself firmly, that if the army had got to Albany, we should have found

EVIDENCE [Earl of Harrington.

found a number of loyal subjects, that would have joined and done every thing in their power to have established the army at that place.

74. Q. Must not the army, to march from Fort Edward to Albany, have necessarily carried a number of boats to form a bridge to pass the river?

A. There was no passing the river well without a bridge of boats, and there were not scouls enough on that river, to make a bridge.

75. Q. Would not the necessary delay, arising from carrying forward those boats, and throwing a bridge, fit to pass an army, have consumed more time than it was possible for that army to subsist with such provision as they could carry with them?

A. I should think it would.

76. Q. You will give the Committee what information you can, respecting a road from Fort Edward to Albany on the left side of the river.

A. I have answered that fully.

77. Q. Whether by taking a pretty large circuit, the army would have reached Albany, and avoided the swamps you mentioned?

A. Certainly not on the east side of the river, because the enemy being on the opposite shore, would certainly have opposed General Burgoyne's army crossing the Hudson's River at Albany, the river being three times the width it is at Saratoga.

[Withdraw.

Martis 1^o die Junii, 1779.

Mr. F. Montagu in the Chair.

EARL OF HARRINGTON called in and examined by General Burgoyne.

1. Q. IN what capacity did your Lordship serve in America in the campaign 1777?

A. I was captain in the 20th regiment of foot, and went on the expedition with General Burgoyne, with the command of the grenadier company; I was afterwards appointed supernumerary aid du camp to the general.

2. Q. While acting as captain of the grenadier company, was you at the action of Hubbardton?

A. I was.

3. Q. What was the behaviour of the enemy on that day?

A. They

A. They behaved in the beginning of the action, with a great deal of spirit; but on the British troops rushing on them with their bayonets, they gave way in great confusion.

Q. From the nature of the country, was it practicable to pursue the enemy further than they were pursued on that occasion?

A. Certainly not.—I think we ran some risque even in pursuing them so far.

Q. At what time of the campaign was it that General Burgoyne requested your Lordship to act as his aid du camp?

A. I think about the 12th of July.

Q. Was you present a few days after that time, at a council held with the Indians of the remote nations, then just arrived, under the conduct of Major Campbell and Mr. St. Luc?

A. Yes.

Q. Was you present at a former council of the Indians held at Lake Champlain?

A. Yes.

Q. What was the tenor of General Burgoyne's speeches and injunctions at both those councils respecting the restraint of barbarities?

A. He absolutely forbid their scalping, except their dead prisoners, which they insisted on doing, and he held out rewards to them for bringing in prisoners, and enjoined them to treat them well.

Q. Do you remember being with General Burgoyne, soon after the last council, upon a visit to an out-post near Fort Anne?

A. I perfectly recollect it.

Q. Had General Burgoyne a considerable escort of Indians with him?

A. He had.

Q. Did part of that escort, on a scout from that post, fall in with and take a part of the enemy, who were laid in ambush for the purpose of killing or taking the general, and those who were with him?

A. They did.

Q. What were the sentiments of the captain taken on that occasion respecting his treatment from the Indians?

A. He said he was treated with much humanity, and I perfectly remember that prisoners brought in on many other occasions by the Indians, declared that they had been used with the same degree of humanity.

13. Q. Does your Lordship remember General Burgoyne's receiving at Fort Anne, the news of the murder of Miss M^r Rea?

A. I do.

14. Q. Did General Burgoyne repair immediately to the Indian camp, and call them to council, assisted by Brigadier General Fraser?

A. He did.

15. Q. What passed at that council?

A. General Burgoyne threatened the culprit with death, insisted that he should be delivered up; and there were many gentlemen of the army, and I own I was of the number, who feared that he would put that threat in execution. Motives of policy, I believe alone, prevented him from it; and if he had not pardoned the man, which he did, I believe the total defection of the Indians would have ensued, and the consequences, on their return through Canada, might have been dreadful; not to speak of the weight they would have thrown into the opposite scale, had they gone over to the enemy, which I rather imagine would have been the case.

16. Q. Do you remember General Burgoyne's restraining the Indian parties from going out without a British officer or proper conductor, who were to be responsible for their behaviour?

A. I do.

17. Q. Do you remember Mr. St. Luc's reporting discontents amongst the Indians, soon after our arrival at Fort Edward?

A. I do.

18. Q. How long was that after enforcing the restraints above mentioned?

A. I can't exactly say; I should imagine about three weeks or a month.

19. Q. Does your Lordship recollect General Burgoyne's telling Mr. St. Luc, that he had rather lose every Indian, than connive at their enormities, or using language to that effect?

A. I do.

20. Q. Does your Lordship remember what passed in council with the Indians at Fort Edward?

A. To the best of my recollection, much the same exhortation to act with humanity, and much the same rewards were offered for saving their prisoners.

Q. Do

Q. Do you recollect the circumstance of the Indians de- 21.
firing to return home at that time?

A. I do, perfectly well.

Q. Do you remember that many quitted the army without 22.
leave?

A. I do, immediately after the council, and the next morn-
ing.

Q. Was it not the general opinion that the defection 23.
of the Indians, then and afterwards, was caused by the re-
straint upon their cruelties and habits of plunder?

A. It was.

Q. Had you reason to believe that the expedition to Ben- 24.
nington was much desired by General Reidesel, and that it
was his wish to have it conducted by Lieutenant Colonel
Baume?

A. It was always imagined in the army, that it was his
wish, and that Colonel Baume was appointed to the com-
mand of it in compliment to him.

Q. Did you know the corps of British, commanded by 25.
Captain Fraser, which made part of that expedition?

A. They were volunteers from the British regiments, and
also stood very high in the opinion of the army, from their
gallant behaviour on all occasions.

Q. Do you remember General Burgoyne's visiting the 26.
detachment after it was assembled, and conferring with Co-
lonel Baume?

A. I do.

Q. Did Colonel Baume appear satisfied with the strength 27.
of his corps?

A. I conversed with Colonel Baume, and with several
officers under his command, and they appeared perfectly sa-
tisfied, at least I heard no complaint from them; the only
anxiety they expressed was, lest the destination of that corps
should become known to the enemy.

Q. Does your Lordship remember General Burgoyne's re- 28.
ceiving, in the night, a letter from Lieutenant Colonel
Baume, expressing he found the enemy in greater force than
he expected?

A. I do.

Q. Do you remember Sir Francis Clarke, General Bur- 29.
goyne's aid du camp, being sent with orders to Colonel
Breyman to march immediately to support him?

A. I do.

30. Q. Did you communicate the same order to General Reidesfel at the same time?

A. I did.

31. Q. Was Colonel Breyman's the nearest corps for the purpose of that support?

A. It was.

32. Q. Did Brigadier General Fraser at all times treat your Lordship with great confidence?

A. I was often with General Fraser, and he frequently talked without reserve upon matters which he was not particularly bound to conceal. There were certain matters of intelligence which it would have been improper for him to mention to any body. In this case I cannot boast so much of his confidence, as to suppose that he would have opened his mind to me on matters which he would have concealed from the rest of his friends.

33. Q. Have you not frequently been present when General Burgoyne and General Fraser discussed the object of the campaign, and conversed freely on the circumstances of the time?

A. I have.

34. Q. Did your Lordship ever, in presence or absence of General Burgoyne, hear General Fraser express a disapprobation of passing the Hudson's River?

A. I never did.

35. Q. Do you know or believe that the idea of forcing our way to Albany was prevalent throughout the army?

A. In every conversation I had with different officers of the army, I never remember once to have heard it doubted, but that we were to force our way.

36. Q. Did the army pass the Hudson's River with alacrity?

A. It is impossible for any army to have been in higher spirits than they were at that time, or more desirous of coming to an engagement with the enemy.

37. Q. Do you not conceive, that to have remained posted behind the Hudson's River, at the time the army passed it and advanced, would have cast a damp on the spirits of that army and a reflection on their General?

A. From the eagerness of the army to advance, and the great uneasiness that was discernible through it on every delay, I apprehended that it could not have been otherwise; and I think that General Burgoyne's character would not have stood very high either with the army, this country, or the enemy, had he halted at Fort Edward.

Q. Do

Q. Do you recollect the march up to the enemy on the 38. 19th of September?

A. I do.

Q. Will you please to describe it?

A. The army marched in three divisions; the German 39. line flanking, the artillery and baggage pursued the course of the river through the meadows, and formed the left hand division; the British line marched parallel to it at some distance through the woods, and formed the center division; General Fraser's corps, with the grenadiers and light infantry of the Germans, were obliged to make a large detour through the woods, and formed the right hand division or column. Beyond this, on the right, there were, as I understand, flanking parties of light infantry and Provincials?

Q. Was the country, over which the army passed, intersected with a deep ravine? 40.

A. It was one of the deepest I ever saw.

Q. Which column was first attacked?

A. The advanced party, consisting of the picquets of 41. the centre column, being sent forwards, under the command of Major Forbes, to explore the way by which that column was to pass, fell in with a considerable body of the rebels, posted in a house and behind fences, which they attacked, and after a great deal of fire, the detachment nearly drove in the body of rebels; but on finding that the woods quite round them were filled with the enemy, they were obliged to retire to the main body.

Q. Was the march so performed that when General Burgoyne formed the line of the British infantry, General 42. Fraser's corps were ready upon their right to support them?

A. General Fraser, on hearing the fire of Major Forbes's party, detached two companies to support them, which came up just after that engagement was over; and on their appearance the enemy finding that our troops were in strength, quitted the post they had before occupied, and, immediately after this, the whole line was formed with the utmost regularity. I would explain, that when I speak of the line, I do not include the left hand column which was composed of Germans, and which did not come into the line or into action till late in the day.

Q. How long did the action last?

A. From three o'clock, I think, till very near eight. 43.

Q. How long were the 20th, 21st, and 62d regiments engaged? 44.

A. During the greatest part of that time.

45. Q. Was the action well disputed by the enemy?

A. It was, very obstinately.

46. Q. Was your Lordship near the person of General Burgoyne during that action, except when you were employed to carry orders?

A. Yes.

47. Q. Were not different attempts made by the General's orders to charge the enemy with bayonets, and did not those attempts fail by the heaviness of the enemy's fire and thickness of the woods?

A. There were many attempts made for that purpose, and they all failed except the last, when the British troops finally drove them out of the field.

48. Q. When part of the German troops did get into action that day under General Reidesel, how did they behave?

A. I heard their behaviour spoke of in the highest terms; they marched up to the enemy with great coolness and steadiness, and gave them, as I was told, three volleys by word of command from their officers.

49. Q. Can your Lordship speak to the loss sustained by the three British regiments, the 62d in particular?

A. The loss was very considerable; but I don't recollect the numbers.

50. Q. Were those three British regiments in a condition to have attacked the enemy the next morning?

A. Their numbers were so reduced, that I apprehend they were not.

51. Q. From the loss of killed and wounded, particularly of officers, would it have been desirable to have brought those three regiments into action for the next ten days?

A. In less than ten days the state of those regiments certainly would not have been much mended; I therefore apprehend, that if they were not in a condition to be brought into action the next morning, their inability would have still continued for those ten days.

52. Q. Had the army made a movement to gain the left of the enemy's entrenchments before the redoubts were constructed that commanded the plain near the river, would not all the bateaux, stores, and hospitals have been exposed to attack?

A. It certainly would have been so.

53. Q. Do you recollect the scarcity of forage on the west-side of the river.

A. I do perfectly.

Q. Would

Q. Would not the bridge of boats, constructed for the purpose of foraging to the east-side, have also been exposed before the redoubts, above mentioned, were raised? 54.

A. They certainly would, had it not been for those redoubts and a work called the *Tête du pont*, which was raised for the protection of the bridge.

Q. Do you recollect how long it took to raise those redoubts, to throw the bridge, and raise the *Tête du pont*? 55.

A. If I recollect right, the bridge itself was finished in one night; the making and compleating the other works took some days.

Q. Does your Lordship remember General Burgoyne mentioning to you in confidence, the receipt of a letter from Sir Henry Clinton, and his hourly expectation of his attacking the highlands, and his opinion that his success there must dislodge the enemy, without attacking their entrenchments? 56.

A. I perfectly recollect the General's mentioning all this to me.

Q. Was you near General Burgoyne in the action of the 7th of October? 57.

A. I was.

Q. Do you recollect what orders you carried? 58.

A. I do.

Q. What were they? 59.

A. The first orders I recollect to have carried, were to post fifty men under the command of a captain of the 20th regiment, to the left of the detachment of the army, in order, in some measure, to join them to the advanced works of General Fraser's camp, and, in case of any accident, to protect the detachment, should they find it necessary, to retire thither.

The next orders I carried were to Major General Phillips, at the end of the action, acquainting him, that as that detachment seemed much disordered from the enemy having turned both their flanks, that it was necessary to draw it as soon as possible back to the camp, which seemed menaced with an attack; the care of this General Burgoyne committed to General Phillips, while he himself returned to the camp, in order to take proper measures for its defence. On our return thither the works of the camp were actually attacked as General Burgoyne had foreseen, and I was then employed to collect what troops I should meet, and to order them to those parts where they were most wanted. Soon

after this, the enemy having got round the right of our camp, we expected an attack upon our rear, and I then was dispatched with orders from General Burgoyne to Brigadier General Hamilton, for all the works in the rear of the camp, which had been previously constructed, to be manned by such soldiers as he could spare from the defence of the front.

60. Q. Does your Lordship know what orders Sir Francis Clarke was charged with, at the time he received his wound?

A. I met Sir Francis Clarke as I was searching for General Phillips, and acquainted him with my orders, telling him at the same time, that as the thickness of the wood might prevent my finding General Phillips directly, I wished he would assist me, in order that no time might be lost in delivering those orders; that was the last time I saw Sir Francis Clarke, and I believe that soon afterwards he received the wound of which he died?

61. Q. Was it dark before General Burgoyne had a certainty that Col. Breyman was killed, and his post carried by the enemy?

A. It was so dark that the officer, who I believe first brought the intelligence of it, seeing a number of men round the fires of that camp, took them for Germans, and was not convinced of his error till he was fired upon by them, as they proved to be a part of the enemy who had forced the works.

62. Q. Did General Burgoyne use any efforts to rally the Germans who were returning from the action, and to persuade them to recover Colonel Breyman's post?

A. He certainly did his utmost endeavours for that purpose, which however were ineffectual from the darkness of the night, and the entire confusion in which they were.

63. Q. Were any other troops at hand that could have been spared for that purpose?

A. There certainly were not; every regiment was occupied in defence of its own lines which were not certainly overmanned.

64. Q. In the heat of the action do you recollect seeing General Reidesel about the time that the Germans, on the left of the British artillery, were giving way?

A. I do.

65. Q. Was not General Reidesel exerting himself to restore order in his troops?

A. General Reidesel appeared to me to have behaved, on that

that occasion, in every way as became a brave and intelligent officer.

Q. Was the retreat of the army in the night of the 7th 66.
made in good order, and a new position taken by the time it
was day-light?

A. It certainly was. 67.

Q. Was the army under arms the whole day of the 8th,
and in continual expectation of action?

A. They were, and indeed were cannonaded during the
greatest part of that day, and the advanced corps in par-
ticular, who were posted on a hill, were under almost a con-
tinual fire from the riflemen of the enemy.

Q. Do you recollect the circumstance of General Frazer's 68.
funeral on the afternoon of that day?

A. I do, perfectly well; the redoubt in which he was
buried was very heavily cannonaded during the ceremony,
and even previous to this they fired at those who attended
the corpse on its way thither, which I suppose was accidental,
and proceeded from the enemy's seeing a number of people
together.

Q. Who were the chief persons who attended that fune- 69.
ral?

A. All the generals of the army, their aid du camps, and
I believe all those who were not attached to any particular
post, which at that time were very few.

Q. Was the retreat of the army on the night of the 8th, 70.
and on the day and part of the night of the 9th, made in
good order?

A. It was made in perfect good order.

Q. What was the weather on the day of the 9th? 71.

A. Exceeding wet.

Q. What was the state of the troops, in point of fatigue, 72.
when they arrived at Saratoga?

A. They certainly must have been much fatigued, from
the length of time they had been under arms, and more par-
ticularly so from the badness of the roads occasioned by the
rains.

Q. When it was day-light the next morning, did you see 73.
any part of the enemy upon the plain at Saratoga, on the
ground where our artillery was afterwards posted?

A. I don't recollect.

Q. Does your Lordship recollect seeing a corps of the 74.
enemy on the other side the Hudson's River opposite to Sara-
toga?

A. Perfectly

A. Perfectly well; and they seemed in force.

75. Q. Do you remember the circumstance of a battery opening from that corps?

A. I do perfectly well. The general, General Phillips, and several other gentlemen were at dinner. We were all obliged to remove, from finding ourselves in the range of that battery,

76. Q. We being in the range of that battery, must it not necessarily have commanded the ford on the Hudson's River?

A. It certainly did command that ford.

77. Q. Do you recollect Lieut. Col. Sutherland being sent with a detachment of regulars and provincials from Saratoga, to cover a party of workmen employed to repair bridges, and render the road practicable?

A. I perfectly recollect it.

78. Q. Do you recollect for what reason Colonel Sutherland and the regulars were recalled?

A. I understood it was on the apprehension of an action.

79. Q. Does your Lordship recollect different scouts bringing reports of the enemy's being in possession of the country between Saratoga and Fort Edward, on both sides of the river?

A. I do.

80. Q. Do you remember General Burgoyne's mentioning, in confidence to you, different ideas of forcing the ford over Hudson's River; of cutting away by the enemy's right, and attempting a rapid march to Albany; or by a night march to gain the fords above Fort Edward?

A. I do perfectly remember that he mentioned to me all those ideas.

81. Q. Did you ever hear of an offer made by General Phillips to make his way to Ticonderoga with a body of troops?

A. No.

82. Q. In the intimacy in which you lived with Major General Phillips, myself, and the officers in General Phillips's family, do you not think you should have heard of such an offer had it been made?

A. I apprehend that I should have heard of it.

83. Q. Did your Lordship hear of General Phillips offering to attempt an escape through the woods, with one or two guides, for the purpose of putting himself at the head of the

the troops at Ticonderoga, for the future defence of that place?

A. I heard it mentioned since I came to England, in some common conversation; but I never heard it hinted at while I was in America.

Q. The day before the councils of the generals and field officers was called, can your Lordship speak of the state of things in general at Saratoga?

A. The state of our army was certainly as bad as possible. Their numbers were few, their provisions short; and their position not a good one, owing to the nature of the country, which rose to the distance of some miles, one hill overtopping that which was next to it.

Q. Do you know any officer of that army who, in that situation, thought we had a right to more than honourable terms?

A. Our situation, in the apprehension of every one there with whom I conversed, did not entitle us to more.

Q. Did the army in general look on the terms obtained, namely, the power of serving their country in other places, to be advantageous as well as honourable, and more than they had a right to expect?

A. I believe they certainly did; and that few persons in the army expected so good terms as those which were granted.

Examined by other Members of the Committee, and by General Burgoyne occasionally.

Q. Did the Indians leave the army till after the battle of Bennington?

A. Great numbers did, and at many different times.

Q. Were not some Indians on the expedition to Bennington?

A. There were.

Q. Was the expedition originally sent out to Bennington?

A. My situation in the army not entitling me to be in the council of war, and not being employed on that expedition, I was of course not entrusted with the orders that were given to Col. Baume.

Q. Have you reason to suppose that General Reidesel or Colonel Baume had a particular knowledge of that part of the country, so as to make it particularly proper to give Colonel Baume the command of that expedition.

A. I believe there was no officer in that army of sufficient rank

rank to have commanded such an expedition, who ever had been in that particular part of the country.

91. Q. The intention of the expedition being, as appears by the papers on the table, to sound the disposition of the people of that country, was that part of the country peopled with Germans, as many other parts of the country are?

A. I can't exactly speak to the description of the people of that country, as I was never there myself; but there were employed on that expedition numbers of provincials, many of whom were of that very country; and I apprehend that the common soldiers of a regular army are not the immediate people who are expected to sound the minds of any country to which they are sent.

92. Q. As your Lordship mentioned the alacrity with which the army passed the Hudson's River, did the army in general think themselves at that time inadequate to the purpose of forcing their way to Albany?

A. The opinions of an army, who cannot be acquainted with the intelligence that has been received, are often erroneous. The army was in high spirits, and did not, I believe, doubt of reaching Albany.

93. Q. Did the General then doubt of reaching Albany?

A. I really don't know.

94. Q. Were the rebels' entrenchments completed on the 19th of September?

A. I never saw the entrenchments at all.

95. Q. How was our army employed between the 19th of September and the 7th of October?

A. The army itself was employed in strengthening its position.

96. Q. Did it take the army eighteen days to strengthen its position before it made any movement?

A. I can't exactly say. They were working all the time.

97. Q. What works were executed in that time?

A. There were numbers of redoubts erected; the tête-du-pont; lines before the camp; outworks to the lines, in which guards and picquets were placed; and batteries.

98. Q. How many redoubts were erected?

A. I think in all there must have been five or six.

99. Q. Was the erecting those works full employment for eighteen days?

A. I am not an engineer, or I certainly should endeavour to answer that question.

Q. Were

Q. Were all those works necessary, in your opinion, for 100.
an army that meant to march forward and attack the enemy?

A. They were necessary in our particular situation, being
within half a mile of the enemy to whom we were opposed,
and being inferior in numbers.

Q. Does your Lordship know whether the enemy thought 101.
it necessary to fortify themselves with redoubts?

A. I don't know what the species of their fortification was;
but I have been always told that great labour had been em-
ployed on their works; and what small part I saw of them
convinced me of it.

Q. Had you not information from deserters or friends 102.
what the enemy was doing?

A. My situation in that army did not entitle me to re-
ceive that intelligence. When any person came to me to in-
form me that he had been employed in gaining such intelli-
gence, my duty was to bring him to the general.

Q. Was it not a matter of notoriety in the army, that the 103.
enemy received reinforcement between the 19th of September
and the 7th of October?

A. The manner of receiving intelligence in an army seldom
transpires; the army might guess, but I believe they knew
nothing.

Q. Was it not understood that the rebels had suffered a 104.
much greater loss than the king's troops on the 19th of Sep-
tember?

A. It was.

Q. Was not the whole, or nearly the whole, of the rebel 105.
army engaged?

A. I don't know; I apprehend the whole was not engaged.

Q. Was our army in general, in your apprehension, in as 106.
good a condition on the 20th of September as the rebel army,
who had suffered much more?

A. The rebel army was so numerous that their loss was
not equally felt with ours,

Q. What number had you reason to suppose the rebel ar- 107.
my consisted of on the 19th of September?

A. I always understood they were very numerous. I never
heard their numbers exactly.

Q. Was not the scarcity of forage foreseen by every body? 108.

A. Those with whom I conversed did not foresee it to the
extent in which we experienced it.

Q. Was it prudent, in your Lordship's opinion, to bring, 109.
or attempt to bring, upwards of fourteen hundred horses to
attend the army, in a country so destitute of forage?

A. I never

A. I never heard that the horses in our army were thought too numerous. On all occasions a scarcity of them was complained of.

110. Q. Do you know how many horses were allowed for the baggage of each regiment?

A. I don't know.

111. Q. Does your Lordship know how many horses were employed about the train of artillery?

A. I don't recollect; but the returns are on the table.

112. Q. Was the heavy artillery brought back from Stillwater, on the retreat of the army to Saratoga?

A. We had lost some small part of it, and the rest was brought to Saratoga.

113. Q. Did the bringing back of that artillery delay that retreat or not?

A. An army with cannon certainly cannot march so rapidly as one without cannon; but cannon always creates a delay which armies have been content to put up with.

114. Q. Was it necessary, in your opinion, in the situation in which the army retreated, to make their retreat as expeditious as possible?

A. The army appeared to me that it did make its retreat as expeditious as possible.

115. Q. Would the leaving of heavy artillery behind, in your opinion have made a difference of four miles in the march?

A. I can't conceive that it would. The enemy were in force behind us; not having numbers to contend with them, it would have been a very desperate circumstance to have abandoned our cannon, in case of an attack.

116. Q. Were the heavy artillery, in effect, of any use in that retreat?

A. I don't recollect as it happened, that they were of any other use than that of their not being turned against us.

117. Q. Might not those cannon have been spiked, and their trunnions have been knocked off, to have rendered them useless?

A. I understand that the spikes in cannon are easily removed, and that it is not an easy matter, I believe almost an impossibility, with any tools that are carried in an army, to knock off the trunnions of brass cannon.

118. Q. Might not the retreat have been accelerated by leaving behind a great part of the baggage?

A. I don't think it would. I do not remember that we were stopped on account of any particular impediment.

Q. Does

Q. Does your Lordship know at what time intelligence 119.
was received in General Burgoyne's army of the failure of
Colonel St. Leger's expedition?

A. I think it must have been in the month of August.

Q. Was not that before the passing of Hudson's river? 120.

A. I don't recollect the exact date of receiving that intel-
ligence.

Q. Was it in the month of August? 121.

A. I cannot tell. I heard of it some time after by acci-
dent.

Q. Was there any heavy artillery with the army, properly 122.
so called?

A. There was none of the heavy sort; we had medium
twelve-pounders, and two twenty-four pounders, which we
took from the enemy at Quebec, which were very much
lighter than those twelve-pounders.

Q. From the state of the fatigue of the troops, when they 123.
arrived at Saratoga, do you apprehend they could have con-
tinued their march though there had been no artillery? By General
Burgoyne.

A. The army was certainly very much fatigued. I believe
they could have got but very little further. They certainly
were not in a state for a long march.

Q. If the battle expected at Saratoga had been on the plain, 124.
would not the heaviest artillery we had have been one of our
best dependencies? By General
Burgoyne.

A. It certainly would; it would have given us a manifest
superiority in that particular.

Q. If the army had not been provided with the number of 125.
horses they had, by what means would their provisions or
bateaux have been transported in places where the river was
not navigable? By General
Burgoyne.

A. The transportation of the bateaux and provisions could
not certainly have been carried on.

Q. Were there not such places on the Hudson's River be- 126.
tween Fort Edward and Albany? By General
Burgoyne.

A. There were.

Q. Is it not at any rate a principal object with every ar- 127.
my, and of a retreating one in particular, to preserve their
artillery if it be possible, even at the expence of some labour
and delay; and for the use they might be of to them after-
wards, as well as on the retreat? By other
Members.

A. I apprehend the cannon are seldom abandoned, but
through absolute necessity.

Q. Whether in general you can inform the committee, 128.
whether the army had a confidence in the general?

A. They

A. They certainly had a confidence in the general, and I do not believe that they have altered their opinion.

129. Q. Did the army then in general, and the officers in particular, entertain a favourable opinion of the general's conduct, capacity, and attachment to them in the various scenes in which he was engaged, and more particularly on very trying occasions?

A. I don't recollect that any officer, with whom I have had conversation, has ever expressed himself in different terms, and I believe there never was an army more deservedly pleased with the conduct of their general.

130. Q. Whether the army expressed any dissatisfaction at the general's return home; that is, whether they thought he came with any purposes not friendly to them, or looked on themselves as deserted by him?

A. I was not with the army when General Burgoyne came away; but I have conversed with many officers who have come from it, and they express no dissatisfaction on that head, much less looked on or considered General Burgoyne's intentions as inimical to them.

131. Q. What was the state of the American artillery, and how was it served?

A. Except on a few occasions, I do not remember their having made much use of their cannon; I thought on those occasions that they served them slowly, but not ill.

132. Q. Whether, all circumstances considered at the time of the affair of Saratoga, the retreat of the army was practicable, either with or without artillery?

A. I thought it was impracticable.

133. Q. Whether after the convention at Saratoga you went to Albany?

A. Yes.

134. Q. Whether you had any opportunity of observing the nature of the country, if it was strong or woody, clear or open?

A. Very strong and woody, and a great number of hills.

135. Q. What was the distance?

A. I don't exactly recollect; about thirty-two miles.

136. Q. Was the situation of Albany a strong situation, or was it commanded by hills round it?

A. The situation of Albany was in a bottom very much commanded.

137. Q. If the army had penetrated to Albany, from whence might they have drawn their subsistence, if the country had been against them?

A. I don't know enough of the country to answer that question.

Q. Must

Q. Must they not have drawn their subsistence from New York? 138.

A. I apprehend so, if they were not masters of the Mohawk country.

Q. Had you any opportunity of observing the extent of clear or cultivated country round Albany? 139.

A. I can't very justly describe it, not having gone out of the town of Albany, from the time I came into it, till I embarked for New York.

Q. Do you think that, circumstanced as the army was after the engagement of the 19th of September, it would have been more advantageous to have returned than to have stayed and fortified the camp? 140.

A. As matters have turned out, it certainly might; but I believe no one thought so at that time. [Withdrew.]

MAJOR FORBES called in, and examined by General Burgoyne.

Q. WAS you major of the 9th regiment, and present with that regiment in the action near Fort Anne? 1.

A. I was.

Q. What was the behaviour of the enemy on that occasion? 2.

A. At half past ten in the morning, they attacked us in front with a heavy and well directed fire; a large body of them passed the creek on the left, fired from a thick wood across the creek on the left flank of the regiment; they then began to re-cross the creek, and attack us in the rear: we then found it necessary to change our ground, to prevent the regiments being surrounded; we took post on the top of a high hill to our right. As soon as we had taken post, the enemy made a very vigorous attack, which continued for upward of two hours; and they certainly would have forced us, had it not been for some Indians that arrived and gave the Indian whoop, which we answered with three cheers; the rebels soon after that gave way.

Q. What command had you on the 10th of September? 3.

A. I commanded the picquets of the British.

Q. Was you attacked on the march, and with what degree of vigour? 4.

A. I was attacked with great vigour from behind railed fences, and a house, by a body of riflemen and light infantry.

5. Q. Was you wounded in that affair?

A. Very early in the day.

6. Q. Do you remember General Burgoyne bringing up the British line to support you, and forming at the first opening of the wood?

A. I do.

7. Q. Did General Fraser's corps arrive precisely in time to occupy the heights on the right of the British line when the action began?

A. It did, and two companies of light infantry came to my support.

8. Q. Where did General Burgoyne post the 9th regiment?

A. As soon as they came out of the wood, they filed off to the right, and were drawn off at a small distance from the left of General Fraser's corps, with orders to occupy two houses, one company in each, and defend them to the last extremity.

9. Q. Had you an opportunity in that situation to observe the stress of the action?

A. I had while we remained in that position.

10. Q. What was the progress of it?

A. The twenty-first and sixty-second regiments were drawn up on our left, and were attacked about three o'clock on the same ground where the picquets had been attacked. About that time I heard a great deal of firing to my right with the advanced corps; an officer came up to General Burgoyne, and acquainted him that the enemy were endeavouring to turn the left of the sixty-second regiment, on which he dispatched an aid-de-camp with orders to the twentieth regiment to form on the left of the sixty-second; immediately after, some companies of light infantry came to occupy the ground the ninth were drawn up on; the ninth were then ordered behind a deep ravine, to form a corps-de-reserve. I saw nothing of the action after that.

11. Q. What was the strength of the ninth regiment on that day before they sustained any loss?

A. On the 15th of the month the weekly return was given in, and, to the best of my recollection, they were two hundred and fifty and odd rank and file fit for duty.

12. Q. What was the strength of the other regiments in the British line?

A. I cannot speak with any certainty, as I did not see the returns; but on talking with different commanding officers: the

the four British regiments were about one thousand one hundred, and the advanced corps about one thousand two hundred.

Q. Where was the twenty-fourth regiment? 13.

A. With the advanced corps.

Q. Where was the forty-seventh regiment? 14.

A. Six companies of the forty seventh regiment that were with that army, were employed as a guard to the bateaux and provisions, and two with the advanced corps.

Q. Where were the other two companies of that regiment left? 15.

A. One at Fort George, and another on an island in Lake George.

Q. Of the eleven hundred which composed the line on that day, do you know how many were lost and disabled in the action? 16.

A. I have heard the surgeon of the hospital say, that there were more than five hundred of the whole in the hospital, but I can't speak to how many of the line.

Q. Can you say how many were killed? 17.

A. I can't.

Q. Can you say how many officers were killed and wounded? 18.

A. I can't immediately.

Q. Were the British troops in a condition to have attacked an enemy in intrenchments after the action? 19.

A. After the action of the 19th, I went to the hospital to get my wounds dressed, and did not join the regiment till the 8th of October; I can't therefore give an opinion of my own: but I have heard several officers say, they did not think it would have been prudent or right from the loss they had sustained the day before.

Q. Did the regiments begin to be increased in their strength from the recovered men to any considerable degree in less than eight or ten days? 20.

A. Not that I know of. I was not at the hospital at the time.

Q. Being in the hospital, had you occasion to know that the regiments were stronger from the receipt of their recovered men on the 7th of October, than they were at any time between the 19th of September and that day? 21.

A. I know that several men were discharged from the hospitals so far recovered as to enable them to do their duty.

Q. At what time did the troops arrive at Saratoga? 22.

A. About eight o'clock at night on the 9th.

EVIDENCE. [Major Forbes,

23. Q. Do you know how long the troops had then been under arms, and without repose or regular refreshment?

A. From the 7th in the morning.

24. Q. Had they been in action, or in continual expectation of action, during that whole time?

A. They were in the front of the army, and I heard a great firing in the rear, and we constantly expected and

Q. Did you see the battery of the enemy on the other side of the river, and saw the command the fort on that river?

Q. Was the ground such on our side as would have enabled us to silence that battery?

A. It did not appear to me that it could.

27. Q. Had the passage of the ford been effected, and the army moved onwards towards Fort Edward, on the east side of the river, would they not necessarily have passed Batten Kill?

A. Undoubtedly.

28. Q. Do you remember the ford at Batten-Kill?

A. Yes.

29. Q. Would it have been possible for the army to have passed that ford without artillery to cover them, and the enemy posted on the other side?

A. Certainly not. I had an opportunity of seeing the twentieth regiment pass that ford without an enemy to oppose them, and they took a considerable time, owing to the depth of the water, the rapidity of the current, and the stones being remarkable slippery, so that several of them fell into the river.

30. Q. Was you present at all the councils of war to which the field officers of the army were called at Saratoga?

A. I was.

31. Q. Do you remember whether General Burgoyne stated the difficulties of the time, and that he mentioned his readiness to undertake any measure they should think for the honour of the British arms?

A. I do remember it.

32. Q. Was the council unanimous to treat with the enemy on honourable terms?

A. They were.

33. Q. When the first terms proposed by General Gates were read to them, were they unanimous to reject them?

A. They were.

Q. After

Q. After it was decided by a majority of the council that the treaty could not be suspended without breach of faith, were not the council then unanimous to sign it on that day? 34.

A. As the majority of the council had given it as their opinion that the public faith was pledged, the council thought that there was no time to be lost, and that it ought to be signed immediately.

Examined by other Members of the Committee and by General Burgoyne occasionally.

Q. Do you know or apprehend that the rebel camp was completely entrenched on the 19th of September? 35.

A. I don't know.

Q. Had you any reason to believe from information that they completed their entrenchments afterwards? 36.

A. I understood they had—I don't speak from authority.

Q. Had you reason to think that the rebels received considerable reinforcements between the 19th of September and the 7th of October? 37.

A. I did not hear that they had.

Q. Supposing the rebels to have received reinforcements, could any accession of strength to our army from the recovery of any number you can suppose of the 500 that were in the hospital, be equal to a reinforcement of even 500 men received by the enemy? 38.

A. I cannot take upon me to say.

Q. From being in the hospital yourself, how many of the 500 do you judge joined the army? 39.

A. I can't pretend to say.

Q. Do you judge in your own opinion, putting all the circumstances you can together, whether the enemy were more likely to be forced on the 17th of September or a day or two after, than on the 7th of October? 40.

A. It is impossible for me to judge—I did not know their strength on the 19th of September, or what reinforcements they received before the 7th of October.

Q. Did you apprehend the army might have made their retreat good to Canada immediately after the action of the 19th of September? 41.

A. That depended entirely on circumstances.

Q. Judging from the circumstances you then knew, what is your opinion? 42.

EVIDENCE. [Major Forbes,

23. Q. Do you know how long the troops had then been under arms, and without repose or regular refreshment?

A. From the 7th in the morning.

24. Q. Had they been in action, or in continual expectation of action, during that whole time?

A. I was in the front of the army, and I heard a great deal of firing in the rear, and we constantly expected and looked for an attack.

25. Q. Did the battery of the enemy on the other side of the river at Saratoga command the fort on that river?

A. It did.

26. Q. Was the ground such on our side as would have enabled our artillery to have silenced that battery?

A. It did not appear to me that it could.

27. Q. Had the passage of the ford been effected, and the army have proceeded towards Fort Edward, on the east side of the river, must they not necessarily have passed Batten Kill?

A. Undoubtedly.

28. Q. Do you remember the ford at Batten-Kill?

A. Yes.

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*Examined by other Members of the Committee and by General
Burgoyne occasionally.*

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Q. Had you any reason to believe from information that 36.
they completed their entrenchments afterwards?

A. I understood they had—I don't speak from authority.

Q. Had you reason to think that the rebels received con- 37.
siderable reinforcements between the 19th of September and
the 7th of October?

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Q. Supposing the rebels to have received reinforcements, 38.
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of any number you can suppose of the 500 that were in the
hospital, be equal to a reinforcement of even 500 men re-
ceived by the enemy?

A. I cannot take upon me to say.

Q. From being in the hospital yourself, how many of the 39.
500 do you judge joined the army?

A. I can't pretend to say.

Q. Do you judge in your own opinion, putting all the 40.
circumstances you can together, whether the enemy were
more likely to be forced on the 27th of September or a day
or two after, than on the 7th of October?

A. It is impossible for me to judge—I did not know their
strength on the 19th of September, or what reinforcements
they received before the 7th of October.

Q. Did you apprehend the army might have made their 41.
retreat good to Canada immediately after the action of the
19th of September?

A. That depended entirely on circumstances.

Q. Judging from the circumstances you then knew, what 42.
is your opinion?

A. I was not more acquainted with the circumstances of the 19th of September than with those of the 7th of October.

43. Q. If the army had had three weeks more provisions when they began their retreat, would not that have been a material circumstance to them towards making good their retreat?

A. The army could have defended themselves longer in their entrenchments at Saratoga if they had had more provisions.

44. Q. Had you known, immediately after the action of the 19th of September, that a letter had been received from Sir Henry Clinton, mentioning his intention to attack the highlands about that time, would you have thought either a retreat or an immediate attack on the enemy advisable?

By General Burgoyne.

A. Certainly not.

45. Q. Do you know whether a council of war was called on the 20th of September, or immediately after the engagement of the 19th of September?

By other Members.

A. I don't know that there was.

46. Q. Did the army in which you served, in its approach to Albany, expect a co-operation from Sir William Howe on the North River?

A. We did.

47. Q. Do you believe if the army under Sir William Howe, instead of going by sea up the Chesapeak to Philadelphia, had operated upon the North River to effect a junction with General Burgoyne's army, considering also the panic that prevailed after the taking of Ticonderoga, that the army under General Burgoyne would have been made prisoners?

A. I should think not.

48. Q. Did you expect any great opposition from the rebel army after the taking Ticonderoga?

A. I did not.

49. Q. Upon what grounds did you so positively expect a co-operation with Sir William Howe's army?

A. From General Burgoyne's orders.

50. Q. Did you ever see General Burgoyne's orders?

A. Every day during the campaign.

51. Q. By what orders of General Burgoyne did you expect a co-operation?

A. Early in October General Burgoyne gave it out in orders that there were powerful armies of the King's then co-operating with ours.

Q. Did

Q. Did not those orders give spirits to General Burgoyne's 52. army?

A. Situated as our army was, every prospect of reinforcement must certainly give us spirits.

Q. Did you ever hear of any co-operation before those 53. orders of General Burgoyne's in October?

A. It was generally talked of in the army, but not by authority.

Q. Whether, if the operations of Sir Henry Clinton on 54. the North River had taken place in time, it would not have been looked on as a very advantageous co-operation with General Burgoyne's army?

A. It might have been attended with very good consequences.

Q. What situation in general, and particularly with re- 55. gard to provisions, was General Burgoyne's army in, at the time you mentioned those encouraging hopes of co-operation in his orders?

A. The army was put on short allowance at that time.

Q. Whether in military affairs a powerful diversion, if 56. well executed, is not known often to answer very effectually the purposes of co-operation?

A. Certainly very good effects have accrued from powerful diversions.

Q. If there had been a council of war on the 20th of 57. September, or immediately after the engagement of the 19th, should you have known of it?

A. I think I must have heard of it.

Q. Whether, considering the circumstances of Sir Wil- 58. liam Howe's having carried his army to Chesapeak Bay, you supposed, or ever heard it supposed, that Sir Henry Clinton would have attempted his operations up the North River sooner than he did, or previous to the arrival of his reinforcement from Europe?

A. Not knowing Sir Henry Clinton's strength, or his orders, nor the force the enemy had to oppose him, it is impossible for me to answer that question.

Q. What effect had it on the spirits of General Bur- 59. goyne's army when they found there was to be no co-operation between that army and the army of Sir William Howe?

A. We never knew but that there was to be a co-operation?

[Withdraw.]

CAPTAIN BLOOMFIELD, of the Artillery, called in, and examined by General Burgoyne.

1. Q. IN what capacity did you serve in the campaign in America in 1776 and 1777?

A. I was major of brigade of the royal artillery.

2. Q. Was you employed by General Phillips, on your return to England, after the campaign of 1776, to solicit a further supply of artillery for the service of the ensuing campaign?

A. On my leaving General Phillips at St. John's, in the month of November, 1776, I was charged with a letter to Sir Guy Carleton, wherein he recommended it to make a demand of a further supply of artillery and stores for the complete equipment of an additional number of gun-boats for the service of Lake Champlain in the ensuing campaign, and likewise for the boats themselves to be sent out in framework. Sir Guy Carleton, on perusing the letter, disapproved of the boats being sent out, but approved of the demand of the stores and artillery agreeable to General Phillips's request, and they were accordingly sent out in the beginning of the year 1777.

3. Q. At what time did you join the army in the campaign of 1777?

A. I joined the army at Ticonderoga on the 23d of July.

4. Q. Did you live in the family of General Phillips, and had you occasion to know his sentiments respecting the artillery department?

A. I did chiefly live with the general, and had frequent occasion to know his sentiments on the subject of the artillery in the course of my duty as brigade-major.

5. Q. Did you know, or had you reason to believe, that the proportion of artillery employed that campaign was according to the opinion and recommendation of General Phillips?

A. I can have no doubt but that an officer of General Phillips's rank and extensive experience must have determined that point.

6. Q. What was the distribution of the artillery after the enemy evacuated Ticonderoga?

A. The light brigade of artillery proceeded with the army by the way of Skenesborough; the park brigade and stores were conveyed across Lake George in bateaux.

Q. Was

Q. Was not a considerable portion of artillery of the 7. heaviest kind either left at St. John's, sent back from Ticonderoga, or disposed of in vessels?

A. It was: there were left at Ticonderoga six heavy twelve-pounders, one light twelve-pounder, four light three-pounders, four royal mortars and twelve cohorns. Left on board the Royal George, two heavy twenty-four pounders, two thirteen-inch mortars, two ten-inch mortars, four eight-inch mortars, four royal mortars and eight cohorns. Sent back to St. John's in the Radau, fourteen heavy twenty-four pounders, two eight-inch howitzers. Left at Fort George, four medium twelve-pounders, two light six-pounders, two eight-inch howitzers, two royal howitzers. With Colonel St. Leger's expedition to Fort Stanwix were sent two light six-pounders, two light three-pounders, four cohorns. Left at St. John's, four light six-pounders, five light three-pounders, four cohorn mortars: that was the distribution of artillery that remained after the army had quitted Fort George. The quantity of artillery brought forward with the army were four medium twelve-pounders, two light twenty-four-pounders, eighteen light six-pounders, six light three-pounders, two eighteen-inch howitzers, four royal howitzers, two eight-inch mortars, four royal mortars.

Q. Was not that park artillery, though consisting of some 8. twenty-four-pounders and some twelve-pounders, properly field artillery?

A. They certainly were, and have ever been considered as such on all field services. Heavy artillery is of a distinct nature, and considerably heavier than guns of the same calibre which we had in the army.

Q. Have you ever known a less proportion than the brigaded artillery, which was attached to the line and to the advanced corps, allotted to the same number of troops?

A. The proportion of field artillery certainly should vary both in quantity and nature according to the variety of circumstances under which the army is to act; the usual allotment of light field pieces are two to each battalion; and from a calculation of the number and strength of General Burgoyne's army, I do not conceive that our light field artillery exceeded that proportion.

Q. What do you apprehend was the proposed use of artillery in the country in which we were to act?

A. To dislodge the enemy from such posts as every where present themselves in that part of the country, and from which

which it may be impossible to dislodge them without artillery of a more considerable calibre than light six-poublers.

11. Q. Do you remember the position which the enemy evacuated at Schuyler's Island?

A. I do perfectly.

12. Q. Had that position been maintained, would not artillery of the heaviest nature we had have been particularly serviceable?

A. Provided the post could not have been turned, and the enemy had made use of every advantage which the ground gave them, I have no doubt but the park artillery would have been absolutely necessary.

13. Q. Had the passage of the Hudson's River, or of Batten Kill been disputed, would artillery of that nature have been serviceable?

A. Doubtless it would.

14. Q. Had the enemy taken a position at the Forks of the Mohawk River, would artillery of that nature have been serviceable?

A. From the imperfect manner in which I saw that ground, it appeared capable of being made extremely defensible, and, of course, that sort of artillery would have been serviceable.

15. Q. Had the army reached Albany, and it had been found expedient to fortify a camp there for the winter, would artillery of that nature have been necessary?

A. There can be no doubt of it.

16. Q. What do you apprehend to be the chief use of howitzers and small mortars in the field?

A. I apprehend they are of infinite service against all kinds of log work, abbatis, and against entrenchments. The small mortars are particularly useful against redoubts and other works where the enemy are confined within a small space.

17. Q. Are not log-works a species of fortification peculiar to that country?

A. I never saw any elsewhere.

18. Q. Was the carrying forward the artillery from Lake George to the place where the army crossed the Hudson's River any impediment to the transport of provisions?

A. The transport of our artillery and stores was constantly made by horses attached to our department, and therefore I do not conceive it did in any manner interfere with the transport of provisions—I mean to confine myself in this answer to the transport from Fort George to the Hudson's River; for after crossing the river we had some oxen and horses

Capt. Bloomsfield.] EVIDENCE.

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horses attached to the service of the artillery, which I believe were before employed in bringing forward provisions and bateaux.

Q. What time did it take to bring forward the park artillery from Fort George to the bridge of boats over the Hudson's River?

A. The light brigade and the artillery of the park, with their proper proportion of stores and ammunition, had their horses, carriages, and drivers constantly attached to them; it therefore required no more time to carry those stores than was necessary for the carriages themselves to pass from Fort George to the Hudson's River; but with respect to the reserve which was afterwards transported by water in bateaux, I believe two days with all our carriages would easily have conveyed them to the Hudson's River.

Q. Do you remember the position of the King's troops from the time of the attack on the 19th of September to the attack on the 7th of October?

A. Yes.

Q. Had the army made a movement to gain the left of the enemy's entrenchments without previously constructing redoubts on the heights that commanded the plain, would not the bateaux, provisions and hospital have been left open to an attack from the enemy's right?

A. They would have been left exposed undoubtedly.

Q. Were not the largest guns we had the properest pieces of artillery for those redoubts?

A. I think it was a service that was exactly adapted to them.

Q. Do you remember the disposition made by General Burgoyne on the 7th of October?

A. I do.

Q. At what time was you wounded in that attack?

A. I believe in about twenty minutes after it commenced.

Q. What circumstance of the action did you observe before you was wounded, particularly respecting the artillery and the enemy's advancing under the fire of the artillery, and what happened to the troops posted immediately on the left of the artillery?

A. The ground on which the artillery was posted was a clear spot, in a great measure surrounded by woods, the skirts of which on our left was distant about two hundred yards where the attack first began. The two medium twelve-pounders were posted on a small eminence, nearly in the cen-

ter of this cleared spot between German picquets and a detachment of the Hesse Hanau regiment. On the enemy's column approaching, the fire of the twelve-pounders and the four sixes was immediately directed towards the enemy's column, notwithstanding which, they drew up along the skirts of the wood behind trees, and after driving in the Germans, kept a pretty warm fire of musketry on the guns and the troops posted about them; soon after this I heard a firing on the right towards a cleared spot, separated from us by a wood on which the light infantry were posted on very commanding ground. On their retreating, as also the twenty-fourth regiment who was drawn up in the wood on our right, the enemy made their appearance on an eminence on our right, and cut off the retreat of the artillery—At this moment I received my wound, and therefore can give no farther account of the circumstances of that day's action.

Examined by other Members of the Committee.

26. Q. What was the number of horses in general employed for the artillery after the march from Ticonderoga?

A. The whole number of horses detached with the British artillery, previous to the passing the Hudson's River, was about four hundred.

27. Q. How many would have been necessary for the field pieces attached to the battalions only?

A. Eighteen six pounders at four horses each; six three-pounders at three horses each, and two royal howitzers at three horses each: the remainder were for park artillery, ammunition, and stores of all kinds to accommodate the army on its march.

28. Q. Was the forage for these horses procured in the country on their march, or brought from a distance?

A. A quantity of oats was brought forward from Canada, but with respect to other forage they were under the necessity of collecting it in the neighbourhood of the encampment.

29. Q. How many waggons might the bringing on that quantity of oats employ?

A. I believe the quantity of oats after passing Fort Edward was so trifling that I don't believe it loaded one wagon.

30. Q. After the army arrived at Fort Edward, did any delay or not arise to its forward progress from bringing on the park artillery, waiting for horses and drivers for that purpose, or to provide forage?

A. The

A. The park artillery remained at Fort Edward no longer than was necessary during the time the army remained in that neighbourhood: I do not know of any delay whatever from the want of horses and drivers. Had the park artillery moved forwards sooner, no end could have been answered by it, before the bridge was thrown over the Hudson's River.

Q. Were there any gun-boats sent out to Quebec for the 31. campaign 1776?

A. There were.

Q. Were there a sufficient number sent out, in your opi- 32. nion?

A. It appeared that the naval force was superior to that of the rebels, from the event of that engagement; and therefore I conclude, that for the uses of that campaign there were a sufficient number.

Q. Did you apprehend, before the event of the action on 33. the lakes, that the number was sufficient, and went out in time?

A. We had received very exaggerated accounts of the rebel force on the lakes, and therefore uncommon exertions were used to render our force as formidable as possible; and probably some time was lost, and the campaign in some degree retarded, from that circumstance.

Q. Would the campaign have been retarded so long if a 34. greater number of gun-boats had been sent out?

A. Certainly not.

Q. What number of artificers were sent to Canada for the 35. campaign in 1776?

A. I don't immediately recollect the exact number: but I think Colonel Christie engaged about two hundred. I know of no others being sent out.

Q. Do you know of more being asked for by the artillery 36. or engineers, as necessary for the campaign?

A. I did hear of some such intention; but at this distance of time I cannot particularly answer that question.

Q. Whether the number of artificers sent out for that 37. campaign were, in any degree, sufficient for the purpose of carrying it on?

A. Certainly not. We were under the necessity of collecting all the artificers that could be met with in Canada for the armament of St. John's only, most of the bateaux being built by private contract.

Q. Were not the operations of that campaign considerably 38. retarded,

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retarded, for want of the number of artificers that were asked for and not granted?

A. Had the number of artificers been greater, there can be no doubt but the work would have gone on much faster. With respect to the artificers being demanded, I have already said I do not recollect the number.

39. Q. Were there not horses necessary for conveying the stores and ammunition necessary for the field train; and how many?

A. The best answer to that question will, I apprehend, be a state of the number of horses actually attached to the several brigades of artillery, since the allotment of stores and ammunition were exactly proportioned to the number of pieces which they accompanied.—

Answer interrupted going into the detail.

[The brigade attached to the advanced corps of light artillery consisted of eighty-five—]

40. Q. How many horses might have been spared, if the heavy park of artillery had not attended the army?

A. It would have made a difference of two hundred and thirty seven horses.

41. Q. Was the army furnished with carts to have employed those two hundred and thirty-seven horses?

A. I really cannot answer that question of my own knowledge.

[Withdrawn.]

Jovis 3^o die Junii, 1779.

LIEUTENANT COLONEL KINGSTON called, in and examined by General Burgoyne.

1. Q. IN what capacity did you act in the campaign of 1777?

A. As deputy adjutant general of the province of Quebec; I acted as adjutant general of the army under General Burgoyne, and also as secretary to General Burgoyne.

2. Q. Did not that double capacity, and the confidence with which General Burgoyne treated you, lead you to the knowledge of the material circumstances attending that campaign?

A. I looked on myself to be in the entire confidence of the general.

3. Q. Did General Burgoyne give any orders for the augmentation of artillery destined for this expedition, after his arrival in Canada?

A. There was no such order went through me; nor did I hear of any such order being given.

Q. Have

Q. Have you reason to believe that the proportion of artillery employed was according to the opinion and recommendation of Major General Phillips? 4.

A. I believe General Burgoyne had the greatest confidence in General Phillips's knowledge and abilities; and I believe the proportion of artillery to have been arranged between General Phillips and Sir Guy Carleton, because I don't know of any directions given by General Burgoyne upon that head.

Q. What were the orders given, at the opening of the campaign, respecting the incumbrances of baggage? 5.

[The witness refers to the orderly book, which he had with him.]

Read the orders.

They are the original orders, written by myself at the time.

[Reads.] "Extracts from orders issued by Lieutenant General Burgoyne at Montreal, dated 30th May, 1777.

"The regiments destined for the expedition under General Burgoyne are to leave in their respective stores their blanket coats, legging, and all baggage that can be spared during the summer months; the officers are depended on not to encumber the service with more baggage than shall be absolutely necessary for a campaign where the movements may be expected to be sudden and alert; the portion of bateaux to each regiment will be regulated on those principles."

Q. Were those orders afterwards enforced? 6.

A. Orders were issued again to the same purport, dated Skenesborough House, July 12.

[Reads.] "It is observed that the injunction given, before the army took the field, relative to the baggage of officers, has not been complied with; and that the regiments in general are encumbered with much more baggage than they can possibly be supplied with means of conveying, when they quit the lake and rivers; warning is therefore again given to the officers, to convey by the bateaux, which will soon return to Ticonderoga, the baggage that is not indispensably necessary to them; or upon the first sudden movement, it must inevitably be left upon the ground. Such gentlemen as served in America the last war may remember that the officers took up with soldiers' tents and often confined their baggage to a knapsack for months together."

Q. Have

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8. Q. Have you a letter from General Burgoyne to General Reidesel, on the subject of the incumbrance of baggage?

A. I have an extract of it, taken from the original letter in the letter-book. It is as follows:

Extract of a Letter from Lieut. Gen. Burgoyne to Major General Reidesel, dated Head Quarters at Skeneborough, the 18th July, 1777.

“ Je vous supplie de faire en sorte, que l'esprit de l'ordre par rapport à le renvoye des baggages des officiers à Ticonderoga aye lieu.

“ Les baggages des officiers Britaniques sont deja renvoyés, et il n'en reste à plusieurs qu'une petite tente, et un valise. C'est réellement pour l'intérêt de l'officier à la fin, que je suis si porté à cet article.”

TRANSLATION.

“ I request you to take measures that the spirit of the order respecting the sending back officers' baggage to Ticonderoga may have due force.

“ The baggage of the British officers is already gone, and many of them have only retained a small tent and one cloak bag. It is really for the interest of the officers, in the end, that I am so pressing upon this subject.”

9. Q. When the contract was made for horses and carts at Montreal, was it the general opinion of the persons of best intelligence consulted, that the number was more or less than necessary for the service on which we were going?

A. In general conversation on that subject I remember to have heard it said, that though they were insufficient, we might expect to find additional supplies in the country. I have extracts of letters here that passed between General Burgoyne and General Phillips on that subject. They are extracted from the original letter copy-book.

See the Appendix.

10. Q. Have you the returns, or extracts of the returns, of the strength of the army at all the different periods of the campaign?

A. I have extracts from the returns.

11. Q. What was the strength of the regular troops, at the highest, at the opening of the campaign, rank and file, fit for duty?

A. The first returns I received on the first of July.

The

The British were	3576	fix for duty.
Germans	2919	do.

6489

I speak solely of the army under Lieutenant General Burgoyne.

Q. What were the numbers of the artillery, and the corps 12. under Lieutenant Nutt, attached to the service of the artillery?

British artillery	257
Germans	100
Recruits under Lieut. Nutt	154

Q. Were there any other troops in the army that could be 13. called regulars?

A. There were Canadians, Provincials, and Indians; but I never considered them as regulars, because they were not disciplined.

Q. Can you state about what was the number of the Ca- 14. nadians?

A. The Canadians were 148 the highest number.

Q. The Provincials?

15.

A. I would be understood to speak to the opening of the campaign the first of July. They were low then, and increased afterward. They were then 83.

Q. The Indians?

16.

A. Between three and four hundred. It was very difficult to collect what their number was exactly.

Q. Was the army ever so high in numbers, Provincials 17. and Indians excepted, as at that period?

A. I believe it never was. On the 3d of September additional companies joined the British, to the amount of about 300 men; but from killed and wounded, and the garrison left at Ticonderoga, the army was at no time equal to its first number.

Q. What was the force left at Ticonderoga?

18.

A. The first garrison consisted of 462 British, rank and file; 448 Germans, rank and file, making 910 in the whole.

Q. Do you remember the difficulties which attended mov- 19. ing the wounded to Ticonderoga, after the action at Huberton?

A. I remember to have heard they were very great. Different propositions were made for the removing them, such as biers and hand-barrows, which were so very incommo-
ous, that I remember to have been told that the wounded

H

would

would rather be left where they were than move in the then state of their wounds by such conveyances.

20. Q. Do you know what were General Burgoyne's motives for detaching General Reidesel with a large corps of troops to the country in the neighbourhood of Castleton?

A. I don't remember to have been present when General Reidesel received his orders or instructions; but I understood it was to create an alarm towards the Connecticut, to give encouragement to the loyal inhabitants, if any such there were, and to protect those that were wounded at Huberton or thereabouts.

21. Q. Was the removal of those wounded effected long before General Reidesel was recalled from Castleton?

A. I believe not; for I am not quite certain that the whole were moved when General Reidesel returned to the army at Skenesborough, a day or two before the first division of the army moved towards Fort Anne.

22. Q. Have you any papers written by General Burgoyne between the time he was at Montreal and the time he left Skenesborough, explanatory of the motives on which he acted?

See Appen-
dix.

A. I have. They are extracts from the original letter-book.

23. Q. Are you acquainted with any facts that will ascertain whether, on the army's arriving at Fort Edward, it was forwarded in its progress towards Albany, in point of time, than it would have been had it taken the route by Ticonderoga and Lake George?

A. In answer to that question I have to say, the army, by taking that route, was a-head of the transport of provisions, which, for the greater part, went from Ticonderoga by the route of Lake George?

24. Q. At our first arrival at Fort Edward, and previous to the roads being mended, in what proportion did provisions arrive at our camp?

A. Very little more than for the immediate consumption.

25. Q. Have you the memorandum-books of Sir Francis Clarke?

A. Yes.

26. Q. Do you know them to be his hand-writing?

A. I am fully convinced of it, having seen him enter many of the articles in these books.

27. Q. Has there been any alteration or addition since you had them?

A. None

A. None.

Q. What was the character of Sir Francis Clarke respecting his accuracy? 28.

A. I never saw an officer more attentive to the duties of his station than Sir Francis Clarke, and always found him exceedingly accurate in the remarks he made.

Q. Are there any memorandums respecting the arrival of provisions at that time? 29.

A. There are several.

Q. You will read two or three?

A. [Reads.] "Fifth August.—Victualling of the army 30.
"out this day, and from difficulties of the roads and trans-
"ports, no provision came in this night."

"Sixth August.—At ten o'clock this morning, not quite
"enough provisions arrived for the consumption of two
"days."

Q. Was it in general understood, from the combined in- 31.
telligence received by General Reidesfel, while he was detach-
ed to Castleton, and that received by General Burgoyne
from the Provincials in his camp, that there were many well
affected inhabitants towards Bennington, who would shew
themselves on the approach of troops; and that there was
dejection and submission among the party attached to the
congress in that country?

A. I did hear several reports to that purpose.

Q. Have you the original rough draft of the expedition to 32.
Bennington, as presented to General Burgoyne from General
Reidesfel; with General Burgoyne's alterations and addi-
tions?

A. I have the original rough draft of the proposals for the
expedition to Bennington; but not being present at the time,
I can't say whether those proposals were delivered by General
Reidesfel or not; but I know of alterations made in
those proposals by General Burgoyne, from a knowledge of
his hand-writing.

Note, The witness delivered in to the Committee the origi- See Appen-
nal rough draft of the Instructions, with a fair copy. dix.

Q. Whether you have reason to know that all the erasures 33.
and alterations in that plan were made before the expedition
took place?

A. I believe they were, from the reading of it.

Q. Do you remember taking this plan to General Phillips 34.

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the day General Burgoyne went to Fort George to inspect the transport of provisions?

A. I do remember it very well; it was the rough draft I took.

35. Q. What were General Phillips's sentiments upon it?

A. I remember General Phillips and I had a long conversation on the slowness of the arrival of the transport of provisions; and he said he looked on this as a very good idea; that he saw no objection, and asked me if I knew of any.

36. Q. Do you remember shewing the plan to General Frazer?

A. I do very well.

37. Q. What did he express on this subject?

A. He desired me to leave it with him till the afternoon for his consideration. He came himself to my tent the next morning early; he expressed himself to me in a manner that conveyed a disapprobation of the Germans being employed in it. I think I observed to him that since the honour gained by the advanced corps at Hoberton, I believed General Riedel was desirous of having the Germans employed. I mentioned to General Frazer my ideas of provisions being obtained by that expedition, and the army thereby enabled to get quicker on to Albany than waiting for the slow transport from Fort George. General Frazer said something about Germans, which I don't recollect; which brought this remark from me; I desired General Frazer, from the friendship he had for General Burgoyne, if he saw any real objection to this plan, to express himself fully and freely to General Burgoyne himself; that the scouts of the army and the guides were attached to his the advanced corps, and he might, through them, perhaps know more of the nature of the country than I did; and therefore I pressed him to mention his objections, if he had any, to General Burgoyne. I think he said, but am not quite certain, "the Germans are not a very active people; but it may do." I pressed him at parting to go to General Burgoyne, if he thought it would not do. He said No, and went off.

38. Q. Were not many of the Provincials in the army of the country about Bennington, and towards the Connecticut?

A. I can't pretend to say they were from that country; but I understood many of them were well acquainted with that country.

39. Q. Do you remember Captain Sherwood in particular?

A. I do very well.

40. Q. Was he of that country?

A. I

A. I understood he was of that neighbourhood.

Q. Did you ever hear Colonel Skeene, or any other Provincial, consulted on an expedition into that country, express any apprehension of its success?

A. I never did. Sir Francis Clarke told me he had received favourable accounts from Colonel Skeene; and I believe after part of the expedition had taken place.

Q. Are there any memorandums of Sir Francis Clarke's, respecting the expedition to Bennington?

A. Yes.

Q. Is there any that marks the distance between Batten Kill and Bennington?

A. Yes; it is his hand-writing.

[Reads.] "From the mouth of Batten Kill, East, for two miles; then strike off South East for about fifteen miles to Cambridge; and so on about twelve miles to Bennington."

Q. Have you the original letters, written from Colonel Baume to General Burgoyne, while he was on the expedition?

A. They are here. *[He delivered them in to the Committee.]* See the Appendix.

Q. Is there any memorandum of Sir Francis Clarke's, marking the time when Colonel Breyman was ordered to march to support Colonel Baume?

A. [Reads.] "15th August. Express arrived from Sancoick, at five in the morning; corps de reserve ordered to march."

"16th August. During the night, express arrived from Sancoick with an account of the repulse this evening of a detachment of ours on expedition."

"Sunday, 17th of August. The general went up to the twentieth regiment, advanced on the road to Sancoick, and met the corps de reserve, the men of that expedition returning all day."

Q. Do you recollect what time of the day it was General Burgoyne met Colonel Breyman on his return on the 17th?

A. I think it was sometime between one and three o'clock.

Q. Have you the instructions given by General Burgoyne to Colonel Skeene on that expedition?

A. Here is a copy of them.

Q. Is there any memorandum of Sir Francis Clarke's, of any

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any intelligence received from Colonel St. Leger about this time?

A. There is of the 12th of August.

[Reads.] "This morning received intelligence of an action near Fort Stanwix."

49. Q. After the failure of the expedition to Bennington, can you speak to the efforts made for forwarding provisions?

A. I know that very great efforts were made both before and after. I understood that General Burgoyne and General Phillips had been both at different times at Fort George to forward the provisions, and I believe subsequent to the ill news from Bennington. The quarter-master-general (I mean Captain Money) was sent by General Burgoyne to Fort Edward, and I believe to Fort George, to collect all horses and teams possible, and to make every exertion to bring forward the provisions.

See the
Appendix.

50. Q. Have you the calculation, made by the commissary-general, of the carriages and horses necessary for different given quantities of provisions?

A. It is here. I believe it is the original.

51. Q. Did the march of the artillery from Fort George to the bridge of boats over Hudson's River, interfere with the transport of provisions?

A. I have had many conversations with General Phillips and the quarter-master-general about the transport of provisions, and never remember to have heard from them, or any other person, that the march of the artillery interfered in any manner with the transport of provisions?

52. Q. About what time did the additional companies arrive?

A. The 3d of September.

53. Q. What was the state of the army when we passed the Hudson's River?

A. My return goes to the first of September.

British, fit for duty under arms, 2635 rank and file.
Germans — 1711

The 300 additional did not join the army till the 3d of September, so that this return is exclusive of them.

54. Q. What was the strength of the artillery and Lieutenant Nutt's corps at that time?

A. I believe there was very little variation in either of them from the former return.

55. Q. Have you General Burgoyne's application to Sir Guy Carleton

Carleton for a garrison from Canada for Ticonderoga, before he passed the Hudson's River?

A. I have extracts from letters of General Burgoyne to Sir Guy Carleton, the 11th of July, 1777, and on the 29th of July, 1777. See the Appendix.

Q. Was there any considerable alteration in the strength of the army between the return of the 1st of September, and the action on the 19th? 56.

A. There was a skirmish or two, but the loss was not material in that interval. 57.

Q. In the course of the service, did you ever know any instance of a day of action, where there was not some deduction from the effective strength upon paper, for baggage guards, bat-men, care of the sick, and other indispensable regimental contingencies? 58.

A. I apprehend there must always be deductions of that sort?

Q. In the service of our campaign, was there not a considerable additional deduction for the care and defence of the bateaux and moveable magazines? 59.

A. It must of course make an additional drain from the army.

Q. Was not all we had of the forty-seventh regiment appropriated for that particular service? 60.

A. It generally was; I believe always so.

Q. These deductions considered, about what number do you compute the British line to have consisted of on the day of the action of the 19th? 61.

A. I believe the four regiments of the line engaged that day amounted to little more than one thousand one hundred men on the spot under arms in the action.

Q. What loss did the British sustain in that action? 62.

A. Killed, wounded, and prisoners, rather more than less than five hundred.

Q. Can you speak particularly to the loss of the line? 63.

A. I believe about seventy-six killed rank and file, and between two hundred and forty and two hundred and fifty wounded, and about twenty-eight or thirty missing and prisoners.

Q. Do you recollect the strength of the 20th regiment when they made their last charge on the enemy? 64.

A. I do very well. I was by General Phillips when the orders were given for that charge; he was then in the front of the line; the ranks appeared to be very thin, the regiment

ment were much fatigued with the length of the action, but moved on to the charge with spirit.

64. Q. Do you remember General Burgoyne going up to the sixty-second regiment immediately after the firing ceased, and the report that was made to him by the commanding officer of the state of that regiment?

A. I remember it, and the officer reporting the great loss they had sustained in the action; I saw them, and they appeared to be very considerably reduced in number?

65. Q. Do you remember the officer mentioning that they had not above fifty or sixty men in the regiment?

A. I can't speak positively to that; but in my own judgment they did not exceed that number.

66. Q. Were not both the field-officers wounded?

A. Colonel Anstruther and Major Harnage were both wounded, and a great many other officers were killed and wounded, and the regiment suffered greatly.

67. Q. To what degree did the men of the artillery suffer in that action?

A. I think, but am not quite certain, that the number that were with four guns amounted to forty-eight. I saw Captain Jones who was a very gallant man, and commanded those four guns, killed, and some other officers wounded, and I believe about thirty-six of the men were killed and wounded. I should in justice to the artillery say, that I think it is not in the power of men to keep a better fire, both of round and grape-shot, than was successively maintained for several hours that day.

68. Q. From your experience in the service, do you conceive it would have occurred to any officer, to engage troops, if he could possibly avoid it, in the situation in which the British line was the day after that action?

A. The experience of an officer of my inferior rank does not lead to much; but I should have been sorry to have given orders to those regiments, after the gallant sufferings of that day, to have attacked an army reported, both from our spies and our prisoners, to be very near if not more than four times the number of our whole force: add to this, the country was a very thick wood, and the situation of the rebel camp, I believe, could not by any means be reconnoitred within that space of time.

69. Q. Do you remember General Burgoyne receiving a letter from Sir Henry Clinton the day but one after that action, informing

informing him, that he intended about that time an attack on Fort Montgomery?

A. I do remember his receiving a letter from Sir Henry Clinton about that time; it was the 22d of September?

Q. Do you imagine that any officer knowing of that letter would have entertained thoughts of immediately renewing an attack upon the enemy?

A. As far as an opinion of an officer of my inferior rank goes, I should not have thought of it, nor did I hear any officer of any rank express such an idea at that time.

Q. From what you knew of the country, did you not believe that a successful attack from Sir Henry Clinton during the time we lay at that camp, would either have dislodged General Gates entirely, or have obliged him to detach considerably from his army?

A. I remember our scouts giving information, that a bridge was laid over the Hudson's River, very near the enemy's camp; and it was the opinion of some very confidential men that were employed in that army in that capacity, and were much under the direction of General Fraser, that on the approach of Sir Henry Clinton's army, the army of Mr. Gates could not stand us, but would cross the river, and go towards New England. Whether the idea was right or wrong, I can't tell.

Q. Did you ever hear such persons, or any others, express an idea, that the enemy would have taken the same measure, on our advancing to attack them, without that co-operation?

A. I don't remember to have heard any such thing.

Q. Do you imagine that any officer knowing of Sir Henry Clinton's letters, would have thought it proper to retreat after the action of the 19th of September?

A. I never heard any officer express an idea of that sort. I don't know what officers might be within the knowledge of such a letter; but I lived intimately with General Phillips, General Fraser, and with Mr. Twiss, the engineer; whether the letter was in their knowledge or not, I don't know: but I never heard them express such an idea.

Q. Did you ever hear any officer of that army, though unacquainted with the letter, before or since the time, express a disapprobation of the measure of remaining in that camp without either attacking or retreating?

A. Neither then or at any time while I remained in America, and of course not since.

Q. From

75. Q. From your conversation with the chief engineer, and from other circumstances, have you reason to know, that every possible means were used after the action of the 19th, to obtain a knowledge of the ground on the enemy's left?

A. I had frequent conversations with the chief engineer on that subject. I believe his attention was given to that point almost every day, and a knowledge of that ground I understood to be very difficult to be obtained.

76. Q. Was not the right of the enemy deemed impracticable?

A. I had no opportunity myself of seeing the right of the enemy; but I understood from others, that the position was too strong to be attacked with any prospect of success.

77. Q. Were there not frequent consultations held between General Burgoyne, General Phillips and General Fraser, previous to the movement up to the enemy on the 7th of October?

A. I understood there was scarce a day passed without such consultation; I believe no day after the action of the 19th.

78. Q. Did you conceive that the chief purpose of that movement was to attain a knowledge of the left of the enemy's position, and if expedient to attack them there?

A. I understood it was.

79. Q. Did it appear to you, that the force left in camp, under General Hamilton, was more than sufficient to keep the enemy in check?

A. I don't think it was.

80. Q. From the intimacy and confidence in which you lived with General Burgoyne and General Fraser, do you imagine any disagreement of opinion could have subsisted between them without your knowledge?

A. I think I must have heard of it.

81. Q. Do you know any instance, but more especially respecting the periods of passing the Hudson's River, the action of the 19th of September, and that of the 7th of October, wherein General Fraser expressed a disapprobation of General Burgoyne's measures?

A. I do not: but I would beg leave to observe, that upon the plan to Bennington, General Fraser had expressed a different opinion, with respect to employing the Germans. At the time of passing the Hudson's River, and after it was crossed, I had a great deal of conversation with General Fraser: he seemed to express satisfaction in the manner in which the troops had passed.

Q. From

Q. In

Q. In the action of the 7th of October, after the German troops on the left of the artillery had given way, did you observe General Phillips and General Reidesel in person? 82.

A. I was with General Phillips at different times, and I saw General Reidesel more than once; they were both very active, and exerted themselves very much to form the broken troops, and to make the retreat as regular as the circumstances would permit. 83.

Q. What was the last time you saw Sir Francis Clarke in that action, and do you know what orders he was carrying? 84.

A. It was after the retreat was become very general. Sir Francis Clarke asked me, if I had given any orders to the artillery to retreat? I told him, that as there was a major-general of the artillery in the field, who was confessed by the army to be a very excellent officer, I would not take on myself, as adjutant-general, to give orders to any part of the artillery. Sir Francis Clarke told me, that a disposition had been made for a general retreat, and that he was going with orders from General Burgoyne to bring off the artillery. About the instant we were parting, a very heavy fire came upon us from the enemy, and I have since had reason to believe, that Sir Francis Clarke received his wound at that time. 85.

Q. On the day of the 8th, do you remember the enemy forming a line in the meadows, and making a demonstration of attacking us? 86.

A. I do remember it very well, and that there was a great deal of cannonading from the enemy.

Q. Do you also remember a cannonading in the afternoon, about the time of General Fraser's funeral? 87.

A. I think I shall never forget that circumstance. General Fraser, I understood, had desired to be buried privately, in one of the redoubts that had been raised for the protection of our magazines and stores; as the corpse was passing by, General Burgoyne, General Phillips, and I believe General Reidesel, and several other officers, out of respect to General Fraser's memory, and to do him honour in the eyes of the army, notwithstanding his request, attended his funeral into the redoubt. The enemy were in this instance, I thought, very defective in point of humanity; they pointed a gun or two at that very redoubt, and kept up a brisk cannonade during the whole of the funeral service, which was performed with great solemnity and very deliberately by 88.

Mr.

Mr. Brudenel, the chaplain. I never saw so affecting a sight.

86. Q. Do you remember on the march to Saratoga seeing a corps of the enemy at work on the plain of Saratoga?

A. I do very well; a working party, and what appeared to be a battalion or more drawn up as a covering party.

87. Q. Was that the corps that afterwards took post on the opposite side of the river?

A. I believe it was the same corps I saw afterwards passing the ford.

88. Q. After the arrival of the army at Saratoga, was Lieutenant Colonel Sutherland detached with a command to cover a party of workmen to repair bridges and roads, in order to continue the retreat on the west side of the river?

A. He was ordered with a party to repair bridges and roads on the west side.

89. Q. Do you remember on what account Colonel Sutherland and the party were recalled?

A. I believe it was on information given by our scouts, that the enemy were preparing to attack us in great force.

90. Q. Have you further reason to know that a general attack on that day was really intended by the enemy?

A. There was particular caution sent round to all the troops to be prepared for that attack, as it was expected it would be attempted under cover of a very thick fog then prevailing. After the convention had taken place, a general officer in the rebel service acquainted me, that such an attack was intended, and from information, I believe from deserters, or from their own scouts, that our army was exceedingly well prepared to receive them, that they would be very much exposed when they came on the plain to our artillery, he not only retreated with his command, but sent word to another general officer to retreat also. The other general officer was his senior; but he had taken that upon him, from the fear of the consequences of such an attack, of which he sent word to General Gates, who approved and confirmed his order.

91. Q. Previous to the council of war to which the field officers were called, do you remember it being determined in the council of the generals, to try a night march, abandoning the carriages and baggage, and orders being given for the delivery of as much provisions as the men could carry?

A. I do remember such a determination very well.

92. Q. What prevented the execution of it?

A. I

A. I understood there were such difficulties in getting out the provisions, that the delivery of the necessary provisions could not be accomplished.

Q. Had we intelligence the next day from different scouts, 93. that the enemy was in possession of the country in force, on both sides the Hudson's River, between us and Fort Edward?

A. I understood, from some of the scouts that we had been accustomed most to depend on, that the enemy were so posted,

Q. Have you reason to know that the intelligence General 94. Burgoyne stated to the council of war on this subject was true?

A. I was assured by one of the general officers who conducted us towards Boston, that troops of theirs were in the position that our scouts had given us information of.

Q. Did you learn at the same time at what period those 95. posts were taken up by the enemy, whether before or after our arrival at Saratoga?

A. I have extracts of minutes made at that time, from the mouth of the general officer I mentioned.

[Reads.]—"When the king's army was returning to Saratoga, a brigade of fifteen hundred men were posted on the east side of the Hudson's River, to dispute the ford, and two thousand men more were posted between us and Fort Edward, on the same side of the river."—Fourteen hundred more were also posted opposite to Saratoga, a little above the other party I mentioned before, to prevent our passing the Hudson's River. Fifteen hundred of those I have mentioned were posted on or before the 5th of October. The others, I remember very well now to have heard, were posted previous to the 7th of October.

Q. Have you an extract of the last council of war at 96. which the field officers assisted?

A. The extract is true, excepting the names of the officers, and the votes they gave. I have the original paper, with the names of the officers that composed the council; and I believe their opinions. [The extract produced. See Appendix.

Q. Did you ever hear of a proposal made by General 97. Phillips, to make a way from Saratoga to Ticonderoga with a body of troops?

A. Never with a body of troops; but I remember to have heard General Phillips make an offer, which I thought a very spirited one, to risk his life in attempting, with one or two of our best guides, to find a passage to Ticonderoga, and

and do his utmost for the defence of that garrison, as an artillery officer, should the enemy attack that fortress after the convention should take place.

98. Q. Have you the return of General Gates's army, signed by himself?

A. I have; but I have forgot to bring the original. I have the extract.

For the original return, see the Appendix, No. XVI.

[Reads.] "Copy from General Gates's return, from his camp at Saratoga; 16th of October, 1777.

" Brigadiers	_____	_____	12
" Colonels	_____	_____	44
" Lieutenant Colonels	_____	_____	45
" Majors	_____	_____	49
" Captains	_____	_____	344
" First Lieutenants	_____	_____	332
" Second Lieutenants	_____	_____	326
" Ensigns	_____	_____	345
" Chaplains	_____	_____	5
" Adjutants	_____	_____	42
" Quarter-masters	_____	_____	44
" Paymasters	_____	_____	30
" Surgeons	_____	_____	37
" Mates	_____	_____	43
" Serjeants	_____	_____	1392
" Drummers	_____	_____	636
" Present fit for duty	_____	_____	13,216."

I understand these last are rank and file, because the others are mentioned before.

" Sick present	_____	_____	622
" Sick absent	_____	_____	731
" On command	_____	_____	3875
" On furlow	_____	_____	180."

I believe that the men on command were explained to me by General Gates to have been detached from his army, in the rear and upon the flanks of the king's troops, previous to the convention.

99. Q. Do you apprehend that that return includes the corps that were on the other side of the Hudson's River, immediately opposite to Saratoga?

A. I do recollect the name of one of the general officers who was on the other side of the Hudson's River, included in

in Mr. Gates's return, and therefore I imagine the men under his command are included also. When I say one, I do not mean to have understood that the other two general officers, the one who was stationed with a party opposite to Saratoga, and the one who was stationed on the same side of the water, between us and Fort Edward, are not also included in General Gates's return.

Q. Do the returns to which you referred, of our army, state the effective strength, at the time of signing the convention?

A. They do state the rough number, collected at that time, of men present and under arms.

Q. State the numbers.

A. The British appeared to have been
Germans

1905

1594

101.

I can't be answerable for the correctness of those numbers, as they were taken in a great hurry.

Q. Can there possibly be a mistake of many hundreds?

102.

A. I can state from a monthly return of the first of November, fit for duty,

British

2086

Germans

1633

} Rank and file.

There might be people recovered from their wounds who were discharged from the hospital, and had joined the corps; or there might have been a mistake in the return, just before the convention, in the confusion of the army at that time.

Q. Do you know what passed respecting the military chest, while the treaty of Saratoga was depending?

103.

A. I do remember that it was strongly recommended to the commanding officers of corps to take sums of money from the paymaster general, on account of subsistence then due to their regiments; and I believe a great deal of money was so distributed, and regularly accounted for to the paymaster general on the subsequent settlement of the pay of the army.

Q. What became of the rest of the money in the military chest?

104.

A. It was taken by the paymaster general to Albany.

Q. Did any part of it fall into the hands of the enemy?

105.

A. Not a shilling that I ever heard of.

Q. Was any proportion of it lost, embezzled, or secreted?

106.

A. If any such thing had happened, I think the paymaster general would have applied to me immediately. Never having heard, then or at any time after, of any loss having been

been

been sustained, I do not believe there was any loss suffered in the retreat or after it.

107. Q. Was the secret service account, during the campaign, kept by you?

A. It was.

108. Q. Could you produce the several articles of that account, if called on for it?

A. I have either a copy of it at home of my own, or from the paymaster general.

109. Q. Did General Burgoyne ever appropriate any part of that expenditure to the extraordinaries of his own expences, or to any other purpose for his own use?

A. Never that I know of.

110. Q. Must not you have known it if it had been so?

A. Certainly.

111. Q. Were there not occasions where General Burgoyne paid, from his own purse, expences that, in the opinion of others, he might have been justified in placing to the public account?

A. I remember to have been told by other gentlemen, that expences of that sort General Burgoyne had been at, ought to have been charged in that manner.

112. Q. What was the nature of those expences?

A. They were presents to people who had distinguished themselves, and in acts of charity to women who had lost their husbands, and other occasions which it was very proper for a general officer to give, and very proper to put into a public account.

113. Q. Had not General Burgoyne, from his situation, all the expences attending a Commander in Chief?

A. He certainly had, from being obliged to keep a public table for the entertainment and refreshment of officers and others coming to head quarters, on duty or business; and I know those expences to have been very great, from the exceeding high price of all the articles of life in that part of the world.

114. Q. Did General Burgoyne ever receive more than the appointment of a lieutenant general?

A. Never.

115. Q. Was there not a board of general officers appointed at Cambridge, to inspect all the accounts of the campaign; and did not General Burgoyne regulate the payment of the battalions by the report of that board?

A. There was such a board, and the payments were regulated according to the report of that board.

Q. Upon the whole of what you know of General Burgoyne's receipts and expences, do you believe he was, in his own purse, a gainer or a sufferer in the campaign 1777? 116.

A. I really believe his appointments were not equal to his expences in that campaign.

Examined by other Members of the Committee and by General Burgoyne occasionally.

Q. What were the numbers of the effective British, at the opening of the campaign 1777, including officers and non-commissioned officers? 117.

A. I have not those returns; but they were sent to the Commander in Chief, and my extracts are for the rank and file.

Q. Can you answer that question with respect to the Germans? 118.

A. My extracts are the same both for the British and the Germans.

Q. What was the greatest number of Provincials in the army at any time in the campaign? 119.

A. I believe the only question that has been asked respecting them was at the beginning of the campaign; they were then eighty-three. On the first of September they amounted to about six hundred and eighty, which was the greatest number they ever amounted to.

Q. What do you mean by Provincials? 120.

A. I understand them to be inhabitants of that country, assembled under officers who were to have had different commissions, provided they had ever amounted to certain numbers.

Q. Do you include Canadians under the name of Provincials? 121.

A. I believe, in the former part of my evidence, the Canadians were stated to be one hundred and forty-eight, and distinguished from the Provincials.

Q. Was General Burgoyne's second order of the twelfth of July, relating to the baggage, strictly complied with? 122.

A. I conceive it was the duty of the commanding officers of regiments to enforce an observance and obedience to the general orders.

Q. Was it actually enforced in such a manner to the degree you thought it should have been? 123.

A. I am not quite positive whether there was not another order issued afterwards.

124. [Question repeated.]

A. I never had any report made to me by a commanding officer of any corps, of that order not being complied with.

125. Q. What was your own ocular observation of the quantity of baggage carried with the army; and did it appear to you that that order could have been fairly complied with?

A. I own I don't recollect, not hearing any complaint nor attending to it. The quartermaster general of the army must naturally know more of the baggage than the adjutant general.

126. Q. Do you know what allowance of waggons was made to a regiment?

A. I don't recollect any waggons that we had to allow.

127. Q. Was none of the baggage brought down in wheeled carriages?

A. Several officers, I believe, bought waggons and carts of the country people for their own use; but I do not remember any of the King's carts or waggons being appropriated to the carriage of officers' baggage. It might be, but I don't recollect it.

128. Q. Can you say, in a general way, how many horses might be employed in carrying the baggage of the army, including officers' horses?

A. I never had any information upon that subject; it did not belong to my department, and I had much business on my hands.

129. Q. How was the regimental baggage carried?

A. I believe chiefly in bateaux.

130. Q. How was it carried when there was no water-carriage?

A. I can't speak to that point, having had no information on that subject; and when I speak of bateaux, I speak generally, having *had* no information on the subject.

131. Q. Can you say, in a general way, how many women attended the army?

A. I had really so much to do that I had not much leisure to pay much attention to the ladies; and I know very little of their beauty or their numbers.

132. Q. Would not the feeding of two thousand women be a considerable object with respect to the provisions of the army?

A. I should have been very sorry to have had two thousand women to have experienced that.

Q. How

Q. How many women were there, if not two thousand? 133.

A. I would wish to give the house every information in my power, when I can speak with any degree of accuracy or tolerable guess. I have seen the commissary of provisions return, and I think the number of women returned, as victualled from the stores, was very, very few.

Q. Do you think that a corps of dragoons mounted would have been of great use to the army? 134.

A. I own, I very much wished those few dragoons we had could have been mounted, because, though in that part of America that I saw they might not have been necessary or useful to have made a charge, I think those light dragoons might be always applied to very useful services.

Q. How many had you of those dragoons? 135.

A. They are included in the strength of the Germans, and I really do not remember their particular number.

Q. If none or less of the park of artillery had been brought forward, would there not have been horses to have mounted those dragoons? 136.

A. I believe there might have been horses enough taken from the artillery, or from the provision train, to have mounted those dragoons, if it had been thought more expedient to have employed the horses in that manner; but they were hired or contracted for, for the special purposes of carrying provisions, and bringing on the artillery, and never meant by the persons who furnished the contract for the dragoon service.

Q. If a smaller quantity of baggage had been carried, might not the officers have spared some of their baggage horses for mounting the dragoons? 137.

A. I never met with an officer who had horses to spare. I know Sir Francis Clarke and myself wished to buy horses to carry our own servants; cared very little what expence we were at; and yet I could not obtain any.

Q. Do you know of any corps or party finding their way back to Canada? 138.

A. I never heard of any corps finding its way there; and I understood from the guides who were with us, previous to the convention's taking place, that if that was attempted, we must break into small parties, and go by what is called Indian paths.

Q. Supposing there was a small party that found its way to Canada by Indian paths, do you think it would have been possible for an army to have done the same? 139.

A. My idea of that must be founded upon the report of those guides who had served us very faithfully as scouts upon former occasions, and who informed me that we must break into very small parties, to have any chance of making our way through the woods to Canada; and I remember that when General Phillips offered to attempt to find his way to Ticonderoga, it was talked of and looked on to be as desperate as gallant.

140. Q. If any party did make its way to Canada, do you not suppose it must be that party of Provincials that ran away while they were employed to repair roads, and that were never heard of afterwards?

A. I remember some were reported to have run away who were making roads, and it is likely to have been that party.

141. Q. When you mentioned the highest number of provincials, did you mean that they were all armed?

A. I know that they were not all armed. We had not arms for them.

142. Q. Of those that were armed, some respectable persons excepted, were they much to be depended upon?

A. A very great part of them were such as I should have placed very little dependence upon.

143. Q. Before the army left Canada, was there not a strict order, that not more than three women a company should be suffered to embark?

A. I do know there was such an order issued, and I never heard any complaint of its having been broke through. I don't recollect the date of that order, or I would have turned to my book, and stated to the house, upon the first question relative to the number of women that were employed on our expedition.

144. Q. Is it not the custom in all armies victualled from the king's stores, to prohibit the delivery of provisions to any women over and above the number allowed by order?

A. It was customary in all places where I served in the last war, and very strong and peremptory orders were given on that subject to the commissaries in our army.

145. Q. Do you not then believe, that all women who followed your army were fed from the ration of the men they followed, or found their provision in the country?

A. I remember, upon asking the commissaries how there came to be so few women in the provincial returns, I was

told

told, it was the custom for them to be supplied out of the men's rations.

Q. Were the women conveyed on baggage carts or horses, 146.
or did they walk a-foot?

A. I never heard of the women's being conveyed on baggage carts or the king's horses.

Q. If the women neither employed the king's horses, nor 147.
consumed his provisions, do you think they were more of
impediment, or of comfort to the King's troops?

A. I never understood from my conversation with the
commanding officers, or others, that the women were any
impediment.

Q. If after the taking of Ticonderoga there was any 148.
doubt in the army in which you served, of their being
able to reach Albany?

A. I don't remember to have heard any doubts expressed
upon that subject, meaning soon after the taking Ticonde-
roga.

Q. Was it generally understood in the army, that it was 149.
well supplied with all the necessaries, appointments for war,
and articles proper for forwarding the expedition to Albany?

A. I always understood that the army had been very well
supplied with every thing.

Q. Do you believe, if the secretary of state had ordered 150.
the army under General Howe to co-operate with the army
under General Burgoyne for the North River, with a view
to have formed the junction of the two armies, that the dis-
after which befel General Burgoyne's army could have hap-
pened?

A. If a junction could have been formed, I should apprehend that Mr. Gates's army might have been dislodged, and that the misfortune at Saratoga would not have happened. This is only matter of opinion.

Q. Do you apprehend, that if the army under Sir Wil- 151.
liam Howe had operated on the North River, with a view to
effect a junction, that such a junction would have taken
place?

A. I had an opinion while in America, that if the expedition which came up the Hudson's River under General Vaughan, could have been there about the time of our action of the 19th of September, that Mr. Gates would have found it difficult to have kept his army together, if he had not crossed over the Hudson's River towards New England. But this is more matter of private opinion.

152. Q. If you are of opinion, that the troops under General Vaughan would have had so powerful an effect, even so late as September, what effect do you think Sir William Howe's army, assisted by all the fleet and craft, would have had as early as the beginning of July, immediately after the impression which took place among the enemy after the defeat at Ticonderoga?

A. I did not know what force there was under the command of General Vaughan, nor do I even now know; but I should think most certainly, that a great army upon the Hudson's River near Albany, would have contributed very much to our making our way to Albany.

153. Q. Have you ever considered what were the causes of the failure of the expedition under General Burgoyne, and to what do you impute it?

A. I looked upon our force not to be equal to the forcing our way to Albany without some co-operation.

154. Q. Where then did you expect that co-operation?

A. I had no where to expect it from, but up the Hudson's River from New York; and the success of Colonel St. Leger's expedition would have been of use certainly.

155. Q. If General Washington's army had not been diverted, would it not have impeded, or stopped the progress of any army up the Hudson's River?

A. I don't know the strength of General Washington's army, nor the nature of the country between Albany and New York; and therefore I cannot form any judgment of what would have happened.

156. Q. Are you not of opinion that there are very strong passes or posts on that river?

A. I found them very strong between Ticonderoga and Albany, and from reports of military men of high reputation in the service, I have understood there were many very strong posts between New York and Albany.

157. Q. From whence is the account of the strength of Mr. Gates's army taken?

A. From a return voluntarily given by General Gates to me for my own satisfaction when at Albany, and that return was signed by General Gates.

158. Q. Have you that return?

A. I gave it to General Burgoyne; I saw it to-day; he has it.

Q. Was it by consent of General Gates that the soldiers after the convention retained their cartouch-boxes?

A. They

A. They retained their belts, and I really don't recollect whether their cartouch boxes were in general retained or not : but talking with Mr. Gates when the king's troops marched by with the accoutrements on, Mr. Gates asked me (we had been old acquaintance formerly) whether it was not customary on field-days for arms and accoutrements to go together ? I told him, there was nothing said in the convention that I had agreed to with him relating to accoutrements, and that he could have no right to any thing but what was stipulated in that treaty. He replied, " You are perfectly right ;" and turned to some of the officers in their service by, and said, " If we meant to have had them, we ought to have inserted them in the convention."

[*Withdrew.*]

14 REMARKS

REVIEW of the EVIDENCE;

Its several Parts compared with the prefatory Speech and Narrative; and additional Remarks and Explanations.

The conduct of Ld. G. Germain during the enquiry.

THE noble Lord who is at issue with me upon this occasion has, in a great measure, deprived me of the benefit of a reply, properly so called, because he has produced no defence. His Lordship certainly has been accused by me in many instances of a very serious nature. If he is really willing that his political, and my military conduct should be tried by facts alone, I certainly have not shewn less inclination than his Lordship for that test; but, taxed as I avow he has been by me, with proceedings derogatory to the obligations which ought to subsist between man and man, I really expected, as I believe did the House of Commons and the public, to have heard from him some justification in those respects. Instead of that, the noble Lord, in opening the subjects to which he proposed to call evidence, touched so slightly upon the branch of the enquiry in which we are parties, that a stranger would hardly have thought there subsisted a dispute between us. His Lordship contradicted nothing that I have alledged respecting his conduct or my own; he stated no circumstance of blame against me, except he meant as such the enterprize of Bennington, which he qualified with the epithet "fatal," and pronounced to be the cause of all the subsequent misfortunes. He passed entirely over the transactions at Saratoga. Of forty officers or more, belonging to the Convention troops,

REVIEW OF THE EVIDENCE.

121

troops, then in England, one only was proposed to be called on his Lordship's part, *viz.* Lieutenant Colonel Sutherland, of the 47th regiment, upon parole from the Congress, and acting with a corps of the Fencible Men in North Britain; but, upon further reflection, his Lordship thought proper to dispense with the attendance of this officer; and the only witness under order of the House was Mr. Skene. No man was better qualified to give an account of the proceedings at Bennington; and I heartily lament that the public is deprived of his testimony.

But although I am thus left in possession of the evidence, uncontroverted by the noble Lord, I avail myself of my right of closing the cause, for the following purposes: first, to collect from the minutes (which, in an enquiry of this nature, are unavoidably prolix and disarranged) the scattered parts, and apply them to facts, under distinct and separate heads. Next, to examine whether the facts (which, from the silence of the noble Lord, I am to assume as admitted by him) are in any respect invalidated by the cross examination of the witnesses by other gentlemen. And lastly, to explain such circumstances, and answer such new and collateral objections, as have been pointed at in the same cross examination, and were omitted, or only slightly noticed in my opening, because they did not exist, or were not deemed possible objects of blame or cavil. In pursuing these purposes, I shall consider the proofs precisely in the order of the facts to which they are produced.

Though the first circumstance I took notice of in my opening, *viz.* my conduct respecting Sir Guy Carleton, was rather an insinuation than an allegation against me, I thought it right that it should be the first overthrown by evidence; for while it remained in any degree of force, it gave a general tinge, as it was meant to do, to my whole cause. I could not but expect even the virtuous prejudices of the human heart to be against me, whilst it was possible to be conceived that in absence of the commander in chief, to whom I had acted

second;

Claims of Gen. Burgoyne to close the cause.

Mode of proceeding.

Insinuation of having acted unfairly by Sir G. Carleton overthrown by his own evidence.

REVIEW OF THE EVIDENCE.

Carleton's
evidence,
quæst. 2, 3:

second; whose attention I had constantly experienced; and with whose confidence I was then honoured; I had practised unmanly and adulatory intrigue to supersede him in a favourite object of command.—There are few worse modes of betraying a superior officer to be found upon the records of dishonour; and whoever reflects upon the degree of odium with which the most palliated acts of that species have been received by mankind, will not wonder at, or condemn my impatience, in applying my first questions to Sir Guy Carleton to that particular object. Clear as my justification stood by the letter formerly referred to [No. II.] I shall be forgiven for obtaining, though with some redundancy, a full and satisfactory confirmation of my innocence, from the verbal testimony of the party whom I was supposed to have injured.

Aspersions
from the
paper, No.
III.

not answered
given
refuted.

It may be proper here to observe, that the abovementioned aspersion, to which I have so often adverted, and at which I have strove in vain for due terms to express my indignation, was not the only one cast upon me respecting Sir Guy Carleton. When impartial and candid men revolted at the insinuation of my treachery, my presumption and insolence (a lesser but still a calumnious charge) was pointed out in that part of the paper [No. III.] that treats of the force to be left in Canada, and the disposition of it. I am pleased with the questions in the cross examination of Sir Guy Carleton, marking the prescribed distribution of the troops, &c. (38, 39, 40, 41, 42, 43.) because that enquiry affords me an opportunity of justifying myself in a point which I have not taken notice of before. The posts, and the troops which I imagined would be necessary to occupy them, were specified merely to shew that the number of 3000 was indispensibly requisite for the defence of the province. The whole of that detail concurred with General Carleton's requisitions for reinforcement, and with my reasoning upon those requisitions; and when I assert, as I now do, that I never presumed to suggest the necessity or propriety of forming a detail
of

of posts (thus given for information) into precise orders for the general upon the spot, I am sure the secretary of state will no more contradict that assertion than he has done any other I have made.

When in the same paper I confidentially communi-
cated my reasons for preferring certain corps to others, I was actuated by the same principle of offering every opinion that could conduce to make the intended service effectual. I thought it a just claim in an arduous undertaking, to have my own choice of the troops; and I am persuaded Sir Guy Carleton never took ill of me, either that claim, or a subsequent one in the same paper, of being held free from any imputation of delay, till I should be clear of the province of Quebec. With an unfeigned confidence in Sir Guy Carleton, I thought it a precaution fully justifiable, to secure myself against others, in the numerous and complicated departments under him, who might be found less equitable than he is.

No. III.
Apology
for specifying
ing corps.

I know I have before complained of the production of these secret communications; but after so many precedents as the last Session furnished, of withholding parts of correspondences from Parliament, upon the plea that they might affect individuals, the noble Lord's silence upon those complaints, gives me a right still to comment upon the sinister purposes that are to be ascribed to the production of that paper at length, rather than by extract. Those purposes were various; but it must be confessed one, and only one, good effect may result from a review of them, viz. It may serve as a salutary caution to any officer, who shall for the future be admitted into consultation with the same minister, how he commits himself by an opinion of men and things.

The next point that I entered upon previously to my narrative, was the tenor of my orders, and I believe it was generally expected that the noble Lord would have taken some notice of the fact I alledged, *that every discretionary latitude which I had proposed was erased, while*

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Remarkable circumstance respecting the construction to be put on my orders.

while the plan was in his hand. As his Lordship had so much commented upon the nature of peremptory orders, as a *general* question, in my absence, it would have been fair in him to have reasoned upon them after that important and decisive circumstance was laid open.

The general opinion of the army upon forcing a way to Albany.

The general idea of *forcing a way to Albany*, which the army at its outset conceived, by reasoning upon the apparent principles of the campaign, without participation of the letter of the orders is clear, from the general tenor of the evidence. I wished, it is true, to have heard more copiously the sentiments of Sir Guy Carleton, because he had full participation of the orders. From the temper and judgment that always direct his conduct, he declined giving an opinion at the bar upon what might become a question in the House. But I have since (upon request) received his permission to publish a letter from him to me, dated soon after the Convention of Saratoga, which is in the Appendix No. X. and with this reference I close my review of the prefatory matter which I laid before the Committee.

Review of the first Period.

Strength of the army.

Most of the circumstances stated in my Narrative respecting the first period of the campaign, were, from their nature, to be established by written testimony; and the papers No. VII. and VIII. in the Appendix, were added to those before produced for that purpose; but the returns of the troops, No. XI. are moreover authenticated by the proper official authority, the adjutant general, and the detail of the artillery, by the major of brigade in that department.

Proportion of artillery. Evidence of C. Bloomfield from qu. 4 to 9.

From the evidence of the latter, is also confirmed all that I advanced respecting the opinion and recommendation of Major General Phillips, for the proportion of artillery employed; for the moderate quantity of it, comparatively with the principles and practice of other

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other services, and for the great expected use of artillery in the country where we were to act.

Had these opinions been merely speculative, the intelligence of the persons from whom they came would have given them sufficient authority. But fortunately they are verified by facts; for it appears from a multitude of evidence, that the enemy made the true use of local advantages: they fortified every pass or proper post: the nature of the country, and the necessity of keeping the banks of rivers, made it impossible to turn those posts: had I wanted therefore artillery, I could not have proceeded any given ten miles, but at a heavy expence of my best troops. When it was found that I was provided with that forcible arm, the enemy invariably quitted their entrenchments, either to retreat, or fight upon ground where they supposed artillery could be least effectually employed. I am to thank the honourable member, whatever his intentions might have been, who by his cross examination placed the expediency of carrying the train I did, in so clear a view.

The uses of it. Captain Blomfield, from quest. 10 to 17.

Evidence of Ld. Balcarras, from q. 14 to 19.

Ld. Balcarras's cross examination, quest. 93, 94.

The only remaining fact of the first period to which verbal evidence is applicable, viz. The impossibility of following the enemy further than they were followed in their precipitate retreat from Ticonderoga, is established by Lord Balcarras and by Lord Harrington.

Ld. Balcarras, quest. 8. Lord Harrington, quest. 4.

Review of the second Period.

In entering upon the evidence which respects the first transaction of the second period, viz. the march from Skenesborough to Fort Edward, I cannot help observing how much of the blame imputed to me has been occasioned by misrepresentation from persons whose business it was to decry my actions; and by uncommon mistakes in the geography of the country by those to whom my actions were misrepresented. By the cross examination of Lord Balcarras it must be supposed, that the persons who suspected I erred in not taking the route by *South Bay* after the success at Ticonderoga, did

March from Skenesborough to Fort Edward.

Mistakes in geography. Ld. Balcarras, qq. 90.

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Quest. 91.

did not know where *South Bay* was. They seem equally ignorant of the situation of *Pitch-pine Plains*, by the question immediately following the former one; and it must have been a surprise to the enquirers to find that the route which they were inclined to approve, was precisely that which the main body of the army took under me in person, and with such effect, as to come up with the rear of the enemy, and drive them from their fortified post at Skenesborough, with the loss on their part of five armed vessels and all the rest of their water-craft.

But it may be said, this part of the cross-examination, though incomprehensible in point of geography, still applied to the question taken notice of in my narrative, viz. "Whether it would not have been more expedient to return to Ticonderoga, and take the route by Lake George, than to proceed, as I did, by the Pitch Pine Plains to Fort Edward?"

Sir G. Carleton, qu. 9, 10.

Considerable time gained by the army taking the route to Fort Edward by land.

Capt. Money, quest. 4 to 11.

Lieut. Col. Kingston, quest. 23.

I shall not recapitulate the various motives I have before stated in support of that preference, having publicly in my favour the opinion of an officer so enlightened in military science, and so well acquainted with the country as Sir Guy Carleton;* and never having heard a difference of opinion in any other officer of a like description, to rest much more upon a subject so supported by reasoning and by success, might be construed an attempt to divert the attention of my examiners from points less defensible. I therefore shall only add two short remarks; the one, that the fact of gaining considerable time by allotting the whole service of the water-craft to the transport of provisions and stores over Lake George, instead of employing great part of it for the transport of the troops is incontestibly proved by the evidence of Captain Money and Lieutenant Colonel Kingston: the other, that to have reached Fort Edward with the troops sooner than the 29th of July (the day that the first embarkation of

* See also the Map of the Country.

provisions

provisions arrived at Fort George) would not only have been useless, but also highly impolitic; because the subsistence of the troops at Fort Edward, before the arrival of that embarkation, must have been brought by land carriage through much difficult road all the way from Fort Anne, when, on the contrary, by remaining in the neighbourhood of Skenesborough till the passage of Lake George was effected, exclusively of the considerations of covering the removal of the hospital of Huberton, and alarming the Connecticut by the position of General Reidesel's corps, the army was commodiously supplied by water-carriage.

The next circumstance for examination, according to the order of the Narrative, is the transport of the magazines of provisions, &c. from Fort George; and it is highly incumbent upon me to shew the difficulties of that operation, because, if they were avoidable, it must be acknowledged one of the principal grounds upon which I vindicate the plan of the expedition to Bennington will fail me.

But I am persuaded, every candid examiner will first indulge me in a short pause. It will be recollected, that this is the only part of the campaign upon which the noble Lord has laid his finger, as judging it productive of the subsequent events. The cross-examination had already been pressed upon the same ideas. Such want of knowledge of the nature of transport in that country has been betrayed; so much prepossession of unnecessary delays has appeared; such emphasis of question has attended every circumstance of my conduct at this period, that I shall stand acquitted of prolixity if I preface the application of the subsequent evidence by a more comprehensive and complete survey of the difficulties and anxieties of my situation than I thought was necessary before.

The charges brought against the Lt. General's conduct at this part of the campaign.

Survey of his difficulties and anxieties.

The combination of arrangement for feeding the army might, in fact, be stated to have extended even to Ireland; for some part of the supply depended upon the victualling fleet which was prepared in that country, according

Feeding the army.

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according to my requisition before I left London, and had not reached Quebec when the army took the field. The tediousness of the navigation from Quebec to the mouth of the Sorel need not be again described. The next embarrassment was to manage the conveyance for that part of the supply which came from Montreal, and which was much the greatest, without interfering with the transport which with equal necessity was to be expedited up the Saint Lawrence to Lake Ontario, for the service of Colonel St. Leger's expedition, and the immense stores (then necessarily upon the move also) for the winter maintenance of the upper country. To these might be added a list of chances and inconveniencies incident to the carrying places between Chamblée and Saint John's; the uncertainty afterwards of the passage over Lake Champlain and Lake George; the laborious and slow operations of drawing the boats over the Isthmus which divides the two lakes. These together make a system of embarrassments and disappointments hardly to be conceived by those who have not experienced them.

But although the whole of this arrangement (the furnishing the upper country excepted) was made under my direction, I have been content to date my difficulties from the lodgement of the supplies at Fort George; and I have touched the other parts only to shew more perspicuously the unfairness of judging of an American campaign upon European ideas. How zealously soever a general, in such an undertaking as mine, may be served by the chiefs of departments (and much praise is due from me upon that score) for one hour he can find to contemplate *how he shall fight his army, he must allot twenty to contrive how to feed it.*

Behaviour
of the In-
dians.

The behaviour of the Indians is a circumstance too material to be passed over in a review of the anxieties in this part of the campaign. I had discerned the caprice, the superstition, the self-interestedness of the Indian character from my first intercourse, even with those nations which are supposed to have made the greatest progress towards civilization:

civilization : I mean with those called the domiciliated nations near Montreal. I had been taught to look upon the remote tribes who joined me at Skenesborough as more warlike ; but a very little time proved that, with equal depravity in general principle, their only pre-eminence consisted in ferocity. The hopes I had placed in their wild honour, and in the controul of their conductors, which, as I stated before, at first had been promising, were soon at an end ; and their ill humour and mutinous disposition were manifest soon after my arrival at Fort Edward. The apparent causes of their change of temper were the resentment I had shewn upon the murder of Miss Macrea, and the restraints I had laid on their disposition to commit other enormities ; but I never doubted that their evil passions were fomented, and their defection completed by the cabals of the Canadian interpreters. Rapacity, self-interest, and presumption, are the characteristics of these men, with some few exceptions. The acquisition of the Indian language has usually been a certain fortune to a man with an artful head and a convenient conscience.

Lord Har-
rington
from quest.
6 to 23.

To check the old practices of speculation in these men, Sir Guy Carleton, with great judgment, had given the superintendency of the Indian department to Major Campbell and Captain Frazer, gentlemen of the highest integrity. The British officers employed solely in the military conduct of that department, were also selected with equal propriety. The interpreters had from the first regarded with a jealous eye a system which took out of their hands the distribution of Indian necessaries and presents ; but when they found the plunder of the country, as well as that of the government, was controuled, the profligate policy of many was employed to promote dissention, revolt, and desertion.

I take this occasion to acquit Monsieur St. Luc of St. Luc, any suspicion of his being concerned in these factions ; but I believe he discerned them. He certainly knew that the Indians pined after a renewal of their accu-

REVIEW OF THE EVIDENCE.

Lord Har-
rington's
qu. last. re-
ferred to.

stomed horrors; and that they were become as impatient of his controul as of all other, though the pride and interest of authority, and the affection he bore to his old associates, induced him to cover the real causes under various frivolous pretences of discontent, with which I was daily tormented, but to which I constantly attended: and though I differed totally with Saint Luc in opinion upon the efficacy of these allies, I invariably took his advice in the management of them, even to an indulgence of their most capricious fancies, when they did not involve the dishonour of the King's service and the disgrace of humanity. The council of the 4th of August was held at his pressing instance; and in that council, to my great astonishment (for he had given me no intimation of the design) the tribes with which he was most particularly connected, and for whom he interpreted, declared their intention of returning home, and demanded my concurrence and assistance. The embarrassment of this event was extreme. By acquiescing, I voluntarily relinquished part of my force that had been obtained with immense charge to government, that had created high expectation at home and abroad, and that indeed my own army was by no means in condition to dispense with; because, depending upon the supposed assistance of this much over-valued race for scouts and out-posts, and all the lesser, but necessary services, for giving due repose to the camp, the British light-infantry had been trained to higher purposes: they were destined to lead in the general and decisive combats I expected in the woods, and could not be spared, or risked, or harrassed, without palpable consequences of the most disagreeable kind.

On the contrary, I was convinced a cordial reconciliation with the Indians was only to be effected by a renunciation of all my former prohibitions; and an indulgence in blood and rapine, I had not a friend in the department in whom I could confide except Major Campbell, Captain Frazer, and the other British officers;

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cers: their ignorance of the languages, and the very probity of their characters, rendered them of no weight in Indian councils. An answer, nevertheless, was to be made upon the moment; and the part I took was to give a firm refusal to their proposition, and to adhere to the controuls I had before established; but, with a temperate representation of the ties of faith, of generosity, and honour, to join every other argument consistent with those principles which I could devise, to persuade and encourage them to continue their services.

This speech appeared to have the desired effect. The tribes nearest home affected to separate from the others, and only pressed for permission to return in parties to gather in their harvest, proposing to relieve each other; which was granted. Some of the remote tribes also seemed to retract their propositions, and professed a zeal for the service; but the desertion took place the next day by scores, loaded with such plunder as they had collected; and it continued from day to day, till scarce a man that had joined at Skenesborough remained. This whole transaction, I aver, was before the plan of Bennington was formed. It appears so from the evidence produced upon the cross examination by the gentlemen to whom I am obliged upon so many occasions, for elucidating different subjects; and the precise date could have been further supported by a memorandum of Sir Francis Clarke; but I thought that reference superfluous in a matter so notorious.

Lord Har-
rington's
qu. last re-
ferred to.
ib. qu. 87.

That Monsieur St. Luc, anxious for the credit of his favourite troops, and invited by the propensity he found in the minister to listen to any whispered intelligence, in contradiction to that he received from the General himself; that, under these temptations, that wily partizan should misplace dates, and confound causes, neither surprises nor offends me. With this exposition of fact, I leave him in full possession of his petulancy respecting my military talents; and am

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concerned at no effects of his comments or communications, in the minister's closet or in the news-papers,* except as they may have tended to support the general system of deception which has so long and so fatally influenced his Majesty's advisers. The Indian principle of war is at once odious and unavailing; and if encouraged, I will venture to pronounce, its consequences will be severely repented by the present age, and universally abhorred by posterity.

German
troops.

But to proceed to the survey of other difficulties of the time. Great attention was due to the management of the German troops.

The mode of war in which they were engaged was entirely new to them; temptations to desert were in themselves great, and had been enhanced and circulated among them by emissaries of the enemy with much art and industry. Jealousy of predilection in the allotment of posts and separate commands ever subsists among troops of different states; and a solid preference of judgment in the commander in chief often appears a narrow national partiality.

Character
of Mr. G.
Reidese.

I confess I was much assisted in maintaining cordiality in an army thus composed, by the frank, spirited, and honourable character I had to deal with in Major General Reidese;—a character which was very early impressed upon my mind, and which no trials of intricacy, danger, and distress, has since effaced; but address was still requisite to second his zeal, and to diffuse it through the German ranks; and I studied to throw them into situations that might give them con-

* One of those comments Lord George Germain thought proper to state, in a speech in the House of Commons. His Lordship gave me a character in the words used by Mr. St. Luc, in a conversation between them.—“Il est brave, mais lourd comme un Allemand.”

The letter alluded to was addressed to me from Canada, after Mr. St. Luc's voyage from England. I do not know to whom the duplicate was addressed, but he certainly was a person of diligence; for it appeared in the news-papers the same day I received the original.

fidence

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fidence in themselves, credit with their prince, and alacrity in the pursuit of an enterprise, which, when its difficulties were considered, in fact required enthusiasm.

Other parts of the alliance, though not liable to suspicion of treachery, like the Indians, nor of consequence to be so much attended to as the Germans, nevertheless had their perplexities. The Canadians, were officered by gentlemen of great condition in their country, but were not to be depended upon. Instead of the enterprising and daring spirit which distinguished the character of that people under the French government, was substituted a longing after home, the effect of disuse of arms and long habits of domestic enjoyments; and this disease (*mal de payz*) is carried in them to a greater proverbial extreme than in any other people to whom the term is more commonly applied.

The Canadian troops.

It was neither easy to keep these people together, nor to support the ideas of respect which the enemy entertained of them from the remembrance of the former war. The only manner of effecting the latter purpose was to shew them occasionally at a distance, but rarely to commit them upon parties where they were likely to fall in with the best classes of the Rangers opposed to us: perhaps there are few better in the world than the corps of Virginia Riflemen, which acted under Colonel Morgan.

The Provincial Corps, of which I had two in embryo, and several detached parties, were yet a heavier tax upon time and patience. They were composed of professed Loyalists, many of whom had taken refuge in Canada the preceding winter, and others had joined as we advanced. The various interests which influenced their actions rendered all arrangement of them impracticable. One man's views went to the profit which he was to enjoy when his corps should be complete; another's, to the protection of the district in which he resided; a third was wholly intent upon revenge against his personal enemies; and all of them

Provincial corps.

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were repugnant even to an idea of subordination. Hence the settlement who should act as a private man, and who as an officer, or in whose corps either should be, was seldom satisfactorily made among themselves; and as surely as it failed, succeeded a reference to the Commander in Chief, which could not be put by, or delegated to another hand, without dissatisfaction, increase of confusion, and generally a loss of such services as they were really fit for, *viz.* searching for cattle, ascertaining the practicability of routes, clearing roads, and guiding detachments or columns upon the march.*

Other critical
embarrassments.

Such were the embarrassments of my mind, added to the many necessary avocations of command purely military. It will likewise be remembered that Lieutenant Colonel St. Ledger was, at this time, before Fort Stanwix: every hour was pregnant with critical events. The candid and unprejudiced, reflecting upon such a situation, will check the readiness of their censure: far be it from me to contend that I did not commit many errors: I only hope to have proved, that they are not those which have yet been specifically pointed at, and whatever blame may be imputable to me in other instances, my late examiners are not justly intitled to triumph on any of their discoveries.

Expedition
to Benning-
ton.

And now for the expedition to Bennington as it stands upon evidence.

The questions upon the cross examination are so explanatory of the hints which fell from the noble Lord afterwards, that one would almost imagine the hints

* I would not be understood to infer, that none of the Provincials with me were sincere in their loyalty; perhaps many were so. A few were of distinguished bravery, among which it would be unjust not to particularize Mr. Fistar, who fell at Bennington, and Capt. Sharwood, who was forward in every service of danger to the end of the campaign. I only maintain that the interests and the passions of the revolted Americans concenter in the cause of the Congress; and those of the Loyalists break and subdivide into various pursuits, with which the cause of the King has little or nothing to do.

were

were originally designed to precede. It will be regular for me, therefore, to consider them in that manner, and, from the whole I am to collect, that the faults meant to be established are, that I employed Germans to sound the disposition of a country in which no Germans resided: that the mounting dragoons was unnecessary: that the range given to the expedition was too great: that it was not originally designed for Bennington: that the force was inadequate.

In regard to the first of these charges, relative to the employment of Germans, it would be waste of time to add to the full answer given by Lord Harrington. Colonel Kingston has answered the question respecting the mounting the dragoons; and moreover it will be remembered, that the collecting horses was by no means confined to that service. They were requisite for carrying the baggage of the army, as expressed in the instructions to Colonel Baume, to the amount of 1500. This circumstance may have struck some gentlemen, as confirming the idea that the baggage attending the army was of enormous bulk. I request a suspension of judgment upon this article, till I come to the proper place of explanation; and I revert to the part of the charge which seems of most importance, viz. the extent of the march, as described in the Instructions, compared with the strength of the detachment, &c.

It can hardly escape observation, what strength to my defence upon this point may be derived from advocates who were not expected to appear in my behalf. For I take support from the noble Lord himself, and all who have believed in his late assertions, or adhered to his favourite doctrines, by pleading that I undertook the expedition to Bennington upon report, strengthened by the suggestion of *persons of long experience and residence in America; who had been present on the spot when the rebellion broke out; and whose information had been much respected by the administration in England; that the friends to the British cause were as five to one, and that they wanted only the appearance of a protecting*

Faults supposed.

Fault of employing Germans, Lord Harrington, quest. 90. 91. Lieut. Col. Kingston, quest. 134 to 137.

See the Instructions and all other papers respecting Bennington No. XII.

The ground
of the un-
dertaking to
Bennington
supported
by the
doctrine
of Lord G.
Germain.

force to shew themselves. Some criticsers upon the adequacy of the force I employed, may desert the cause of the noble Lord; but will *He* maintain, that a recruit of force from the enemy's country was a wild expectation, when the recruiters, provincial colonels, governors, land proprietors, and popular leaders of the party who glory in the designation of Tory, were upon the spot, and personally interested in the levies? *He* must surely stand forth my advocate in this point, or entirely forget the reasoning he held to Sir William Howe, when without the advantages of such recruiters; against the belief of the General himself; unprepared to repair the disappointment, if disappointment ensued, in a measure of so much more magnitude, and so much less real encouragement, *He* referred to that expedient of recruiting from the enemy, what he had not strength to supply from the national troops.*

This I must insist is an unanswerable defence, with respect to the noble Lord, and those who think with him; for it is strict and positive coincidence with their opinions, past and present—and if I said it will be so with those to come, my prophecy would be authorized by the conviction and triumph which Mr. Galway's evidence, respecting the loyalty of the Americans, seemed to produce in the parties to whom I allude.

But in due respect to other judges, it is incumbent upon me to state a more serious defence.

As Lieutenant Colonel Kingston cannot prove juridically that the rough draft of the design which ended

* In a letter from Lord George Germain to Sir William Howe, dated May 28, 1777, after acknowledging that the force for the campaign would be short of the General's requisitions, is the following paragraph:

"If we may credit the accounts which arrive from all quarters, relative to the good inclinations of the inhabitants, there is every reason to expect that your success in Pennsylvania will enable you to raise from among them such a force as may be sufficient for the interior defence of the province, and leave the army at liberty to proceed to offensive operations."

The whole of the letter, from which the above is an extract, is curious, and may be seen in the Parliamentary Register, No. 68.

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in the affair of Bennington was the same which was delivered by General Reidesel, and I am unwilling upon memory to incur a possibility of mistake, even in an immaterial circumstance that respects an absent friend, I am content it should be considered as an uncertainty, and I drop all use that could be drawn from the original composition. It will fully answer my purpose to adhere to the bare assertion which I am sure will never be contradicted, that Major General Reidesel originally conceived an expedition for the purpose of mounting his dragoons, and supplying the troops in general with baggage-horses; that I thought his idea might be extended to much greater use, and that the plan was considered, amended, and enlarged, in concert with him. Therefore upon the abstract ground and reason of the measure, I might urge, that it was supported by naked military principle, according to the sentiments of a general of great natural talents, and long service under the first masters of the age. It is proved, that the same sentiments were ratified by the full approbation of Major General Phillips, an officer of similar description, to whom the plan was communicated; and if a single part of the same plan, mentioned to be at first disapproved by Brigadier General Frazer, continued to be so after explanation, that disapprobation did not appear. Indeed the utmost that can be drawn from the evidence of Lieutenant Colonel Kingston, or any other witness, amounts to no more than an implied wish in the Brigadier to have conducted the expedition at the head of his distinct corps. It was the fact. Devoted to glory, and prodigal of life; earnest for the general success of the campaign, and particularly anxious for every plan adopted by the man he loved, he grudged a danger or care in other hands than his own. It was not envy or disparagement of the German troops, but zeal and impatient for employment, that influenced his predilection for the British. I honoured the principle, while I restrained it; and I reserved his ardour and judgment for a second movement,

Lieut. Col.
Kingston's
quest.

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ment, which required those qualities much more than the expedition to Bennington did, according to any intelligence or appearance of things at the time. It will be observed from the evidence, that the whole of Brigadier Fraser's corps was thrown over the river, and actually posted at the opening of the plain near Saratoga, when Colonel Baume marched; and the design was, upon the first news of Baume's success, to have pushed that corps to take possession of the heights near Stillwater, and to have intrenched there, till the army and the provision could have joined, by which means the whole country on the west side the river, to the banks of the Mohawk, would have been our own.

But moreover it is to be observed, that Major General Reidesel was far from being ignorant, as has been suggested, of the nature of the country, or the professions of the inhabitants. He was just returned from commanding a detached corps at a considerable distance from the main army, in the very heart of the country from which the enemy's force at Bennington was afterwards supplied. He spoke the English language well; he was assisted by many natives of the best information.

It is evident, that the brave but deceived officer who commanded the detachment, was induced to deviate from the cautions prescribed in the instructions. A plan, drawn by an engineer upon the spot, is added to the evidence produced to the committee, to shew more clearly where that deviation happened. It appears also in proof, that the measures taken to relieve Colonel Baume, upon the news of his difficulty, were the most speedy that could be used, and would have been timely, had not Colonel Brieman's march been more tardy than could have been supposed possible. I take the fact as stated in his own account, without impeaching his credit with regard to the obstacles he describes. But as a farther vindication of the intelligence and principle upon which the original strength of the detachment was framed, and the mere accident which made even

error

error possible, I request admission for the proof of a new fact which I did not know it was in my power to bring, till after Captain Money had left the bar of the House of Commons; and as I was precluded from calling him a second time, by the abrupt close of the proceedings, I had no other way of laying it before the public, than by stating the question in writing, and requiring his authority to publish the answer, which I obtained, and they are as follows:

Q. Do you know any circumstance respecting an unexpected reinforcement received by the rebels at Bennington near the time of the action?

A. " A few days after I was prisoner in the rebel
" camp, some of their officers told me, that it was a
" providential circumstance, that General Starks was
" coming through Bennington with 1200 militia of the
" New-Hampshire Grants, to join their main army
" near Albany, for the guard on the provision at Ben-
" nington did not amount to more than 400 men; and
" that on his hearing of a detachment of our army being
" only four or five miles from him, he with the guard,
" and what militia could be collected in the neighbour-
" hood, attacked and defeated the detachment, as
" well as the reinforcement that were on their march
" to join them. The rebel officers also informed me,
" and I have seen accounts that agree with what I then
" heard, that during the action General Starks was
" 'luckily' joined by Colonel Warner with a consi-
" derable body of men. I have frequently heard our
" officers say that were in this action, that had Colonel
" Baume retreated four miles, and recrossed the river
" he passed the day before, and taken post there, when
" he found by information he could not proceed, and
" had wrote for a reinforcement, he would have met
" Colonel Brieman coming to his assistance, and would
" not have risked the loss of his corps, which by his
" instructions were so strongly recommended, as not
" even to risque a considerable loss. This, Sir, is as
" nearly as possible the answer I should have given had
" the

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“the question been asked me in the House of Commons.—J. Money.”

This piece of evidence will serve to shew that it was not the success of the rebels at Bennington that animated the militia to assemble, and march in the cause of the Congress; and he must be of steady faith indeed in American loyalty who can suppose much of it really existed in the country of the Hampshire Grants (howsoever it had been affected and professed) when he reflects, not only that General Starks and Colonel Warner were not opposed in collecting their men, though my army, then in a tide of success, were near at hand; but also that not a loyalist was found earnest enough to convey me intelligence.

It will likewise appear, from this piece of evidence, when compared with the map of the country and the disposition of the troops, that had not the accidental passage of the detachments under Starks and Warner been exceedingly critical, it could not have availed.—Forty-eight hours sooner, they would have joined General Gates; and he would hardly have detached them, or any other part of his force, back to Bennington, even though he had heard of a movement to my left; because he must have known that the whole of Fraser's corps lay ready to march rapidly upon him from my right.—Forty-eight hours later, the blow would have been struck; and the stores, consisting of live cattle, and flower, with abundant carriages to convey it, would have been out of reach.

Another reflection will be apt to arise in speculative minds upon this subject, viz. on what nice chances depends the reputation of an officer who acts under selfish and ungenerous employers! Such men not only withhold the fair protection that would arise from an explanation of his motives, but are the first to join the cry of the uninformed multitude, who always judge by events. Thus every plan receives a colouring in the extreme; and is denominated (often with equal injustice) a fatal error or a brilliant enterprize.

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But it still may be said, the expedition was not originally designed against Bennington. I really do not see to what it could tend against me, if that supposition were in a great degree admitted. That some part of the force was designed to act there, will not be disputed by any who read Colonel Baume's instructions, and consult the map. The blame or merit of the design altogether, must rest upon the motives of expediency; and it is of little consequence whether the first and principal direction was against Bennington, or Arlington, or any other district, as my intelligence might have varied respecting the deposits of corn and cattle of the enemy. At the same time I must observe it is begging the question, to argue that Bennington was not the real, original object, because Bennington was not mentioned in the draft of instructions. A man must indeed be void of military and political address, to put upon a paper a critical design, where surprize was in question, and every thing depended upon secrecy. Though it were true, that I meant only Bennington, and thought of nothing less than the progress of the expedition, in the extent of the order, I certainly would not now affirm it, because I could not prove it; and because it would seem, that I searched for remote and obscure justification, not relying upon that which was manifest; but surely there is nothing new or improbable in the idea, that a general should disguise his real intentions at the outset of an expedition, even from the officer whom he appointed to execute them, provided a communication with that officer was certain and not remote.

This review of the affair of Bennington, tho' long, I trust will not be deemed misplaced; and from the different parts of it, I think, will clearly be established the few following assertions;

- 1st. That the design upon Bennington was justified by the circumstances of the time.
- 2d. That there was no reason to suppose the force of the enemy there greater than what the detachment was adequate to defeat.

3d. That

Cross examination of Lord Harrington, q. 89.

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3d. That when the force was discovered to be greater, the ill consequences would have been avoided had not Colonel Baume deviated from his instructions, by committing his regular force in the woods instead of fortifying a post in the open country, and exploring the woods only with the Indians, Canadians, and Provincials, supported by Captain Fraser's corps, who were complete masters of such business.

4th. That after Colonel Baume had committed that error, it would have been retrieved had Colonel Brienman's reinforcement accomplished their march in the time they ought to have done.

5th. That the strength of the enemy was merely accidental.

And, as a final observation, I will add, that when a minister states a common accident of war, independent of any general action, unattended with any loss that could affect the main strength of the army, and little more than the miscarriage of a foraging party, to have been fatal to a whole campaign, of which he had directed the progress and apportioned the force, he makes but an ill compliment to his own judgment.

Difficulty
of forming
a magazine
after the
disappoint-
ment at
Bennington
Lieut. Col.
Kingston,
q. 24 to 31.

The next class of proofs in regular progression, applies to the difficulty of bringing forward a magazine of provision, after the disappointment of obtaining live stock and flower at Bennington. It has been shewn, by the evidence of Captain Money, Lieutenant Colonel Kingston, and the authentic memorandums of Sir Francis Clarke, that early in the month of August it was no easy task to supply the daily consumption of the army. Our powers were afterwards, in some degree, increased by the arrival of more contract horses, acquisitions of more ox-teams from the country, and the great vigilance exerted in the departments of the quarter-master-general and inspector, whose assistants had been augmented.

A minute investigation of this operation, I am sensible, will be thought dry, and perhaps unnecessary, by general readers—they will pass it over—but there are those
who

who have laid much stress upon a waste of time, and who take delight in tracing the small parts of a subject with scrupulous exactness. With such it is my duty, as a person on my defence, to enter into detail, and I will lay my ground in the question put to Captain Money in his cross-examination and his answer.

Q. "Why did the army remain from the 16th of August to the 13th of September before they crossed the Hudson's River to engage the rebels at Stillwater?"

A. "To bring forward a sufficient quantity of provisions and artillery, to enable the General to give up his communication."

With all the powers of conveyance possible to be mustered, Captain Money computes (and his computation tallies nearly with the table formed by the commissary-general) that five days provision, viz. four for forming the magazine, and one for daily consumption, was the most that could be conveyed at once.

Capt. Money, q. 20; and for the general account of the efforts used see the same evidence from quest. 12 to 25.

To bring this to an average I will assume only two days for accidents of weather, roads, fatigue of cattle, breaking of carriages, and other common disappointments: this is much less time than according to the evidence might be allowed, and upon This computation it would take ten days to convey the magazine to Fort Edward only. The stage from thence to the encampment and intended depository must not be computed by distance but by impediments. The rapids of the river and the different carrying-places have been described by the witnesses, and it results that this stage was much longer in point of time than the former one. It was not possible to keep the transports going at both stages together for the ten days mentioned, because there were not boats in the river sufficient for more than the daily supply; nor could they have been conveyed there in that time by any possible means, for these reasons; the boat carriages, which were of a construction similar to timber carriages used in England, were only twelve in number, and each carriage employed six horses or four oxen

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oxen to draw it; and could any other means of draft for boats over land have been contrived, or cattle have been supplied from the artillery, or any other department, all would have been useless; because the boats themselves, to a greater amount than those above specified, were wanting till after the whole of the provision transport between Ticonderoga and Fort George, upon which they were employed, was finished, and it had barely kept pace so as to supply the land transport between Fort George and Fort Edward.

I desire only an allowance of fifteen days for the carriage over the second stage, and it will thus take, in the whole, twenty-five days to form the magazine alone.

I claim no additional allowance of time for conveying one hundred boats, at least, through the difficulties of land and water, in the two stages, but comprise that labour among the rest of the last fifteen days. It must be nevertheless observed, that even this number was short of what was wanting, and, to save time, all the artificers were employed in building scouls (fourteen of which were finished during the transport) to make water craft, in the whole sufficient to carry the magazine forward, after the communication should be at an end. The new caulking the boats, though indispensibly necessary to great part of them, after passing the lakes loaded, and afterwards being shaken and damaged by land carriage, is another work which I throw into the last fifteen days of the transport, or into the subsequent four days, which must at the least be allotted for loading the magazines, and arranging the order of its proceeding both in respect to navigation and defence. This was committed to very expert naval officers, and was matter of no trivial concern, or easy execution.

The whole business, according to the above representation and calculation, both which are founded upon evidence, would have taken twenty-nine days: twenty-seven only were employed, viz. from August the

the 16th to September the 13th. The exertions in fact outwent the calculation; and I challenge the most minute speculatists to try the time and the powers we possessed, by every possible distribution of carriages and cattle, different from that which was practised, and I will venture to say none will be found less dilatory.

It appears clearly in proof, that no impediment to this transport was occasioned by the interference of the artillery; but it has been implied by some questions in the cross examinations, that if the artillery did not interfere with the transport, the transport ought to have interfered with the artillery, and that by appropriating their horses to the provision train, much time might have been saved.

It might be a sufficient answer, that the artillery, for the reasons I have before assigned, was not to be dispensed with, and consequently the horses were to be preserved; but I besides have shewn, that they could not have been of use to the transport of the boats; and to satisfy every scruple, and to shew how mistaken they are who suppose an advantage was to be obtained by the employment of artillery-horses to convey provisions, I now offer to their reflection the additional fact, that they could have been of no avail, because we had neither carts nor pack-saddles, more than were in use already.

That the baggage of the army was an impediment to the transport, is another accusation clearly confuted by the united evidence of Lieutenant Colonel Kingston and Captain Money *.

Lieut. Col.
Kingston,
q. 5 to 8
inclusive,
and from
122 to 130.

Having

* In justice to the officers who are supposed to have disobeyed orders, in respect to the bulk of it, it may be necessary to take some notice (and this is the proper place) of the error of making that supposition upon the directions given to Col. Baume for procuring 1300 horses for that specific use.

I believe the lowest allowance of bat horses ever made to an army was as follows:

L

To

REVIEW OF THE EVIDENCE.

Question
made, whe-
ther the ar-
my might
not have
proceeded to
Albany
without
stores?

Having thus shewn that the transport of provisions and other stores, for about thirty days, was effected in the shortest time possible, it now becomes necessary to examine the question, which has been very much canvassed in print, and by the cross examination appears to have made impression upon some gentlemen; whether this preparation might not have been dispensed with, and the army have reached Albany by a rapid march, the soldiers carrying upon their backs a sufficiency of provision to support them during the time?

To a field officer	-	-	3 per battalion	6
A captain	-	-	2 do.	12
A subaltern	-	-	1 do.	16
A surgeon and mate	-	-	2 do.	2
A chaplain	-	-	1 do.	1
A quartermaster	-	-	1 do.	1
For carrying the company's tents, 2 horses	-	-	-	-
to each company	-	-	do.	16

Total per battalion 54

N. B. This calculation was made upon eight companies to a battalion, in which two field officers companies are included.

The horses for the five British battalions of the line, upon calculation, amount to 270

General Frazer's corps, reckoned to be equal to four battalions 216

Five German battalions, at 70 horses per battalion, that being the difference in proportion to their strength 350

Breyman's corps 100

Total for the regiments of the regulars 936

S T A F F.

Two major generals	12
Four brigadiers	16
British quartermaster general, and his assistants	12
German ditto	12
The hospital	30
Total of staff	82

I R R E G U L A R S.

Canadians, Indians, and Provincials	200
Artificers	50
Total of irregulars	250

Recapitulation of the whole distribution 1268
It

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It is very natural for men of all descriptions, to apply the idea of a rapid march to a distance of fifty miles, for it is not more measuring in a straight line from Fort Edward to Albany, and it will be proper to consider the principle and practicability of such march, with respect to two distinct periods, the one before, the other after the attempt upon Bennington.

With respect to the first, it will be remembered, that in the state the roads then were, and with the resources then to be employed, no provision before-hand was attainable. Therefore, to have brought the plan of a rapid advance within the compass of a possibility, the operation must have begun by marching the whole rapidly backward, in order to load the men with their packs of provisions. How the troops, zealous as they were, would have relished a step so uncommon in its nature, and productive of so much unexpected fatigue, particularly how the Germans would have been so persuaded of the necessity as to have undertaken it with good will, cannot be ascertained.

But these doubts apart, it remains to be considered, how the troops were to pass two very large rivers, the Hudson and the Mohawk, without previous provision for a bridge, or water-craft for conveying large bodies at once. Every concession a sanguine projector can desire shall be made upon this point also; the contrivance of rafts, bound together by twigs and strips of bark, as in fact was practised at this very period for the passage of Frazer's corps over Hudson's River, shall be admitted equally practicable for the whole army; and in argument be it trusted to chance to pass the Mohawk in the same way; or should it fail, let recourse be had to the ford, which is known to be practicable, *except after heavy rains*, near Schenectady, about fifteen miles from the mouth of the river.

These concessions granted, we will suppose the army on the bank of the Hudson's River, where they afterwards passed it.

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The idea of a rapid march will of course be exempt from all thought of personal incumbrances (provision exempted) and the soldier will stand represented in the imagination, trim and nimble as he is seen at an exercise in an English encampment—Indeed it is necessary he should be considered in that form; for nothing can be more repugnant to a project of rapidity, than the soldier's load, were he to carry all the articles belonging to him in a campaign.*

But it may be said, and with truth, that troops are usually relieved from a considerable part of this burthen, and many examples of this relief may be brought from the general custom of service, and from many movements of General Howe's army in particular—nay more, it was a frequent practice of the very army in question, to march free from knapsacks and camp equipage. The Wigwam, or hut constructed of boughs, may be made a very wholesome substitute for a tent; and when victual can be cooked before hand, even the camp kettle for an expeditious march may be laid aside. All these examples are admitted: but they all imply conveniencies for the several articles to follow, and to be brought up in due time. In our case they must have been lost irrecoverably.

Will it be argued, that some medium might have been devised? And although it were impossible, consistently with the idea of rapidity, to carry forward more provision than for bare sustenance during the march, yet carts might have been found sufficient to carry the men's knapsacks, and camp kettles, and other indispensable articles? This supposition would betray a great ignorance of the country. From Sara-

* They consist of a knapsack, containing his bodily necessities, a blanket, a haversack with provisions, a carteen, a hatchet, and a fifth share of the general camp equipage belonging to his tent. These articles (reckoning the provision to be for four days) added to his accoutrements, arms, and sixty rounds of ammunition, make a bulk totally incompatible with combat, and a weight of about sixty pounds.

toga to Albany there is only one road practicable for wheel carriage. There are many places where by destroying the bridges over deep gullies which discharge themselves into the main river, a passage would be rendered impassable, not only for a wheel carriage, but a horse. There are others where the road is bounded by the river on one side, and by almost perpendicular ascents covered with wood on the other. Here the very short work of felling a few trees would stop all passage. The expence of time to remove these obstructions, or to make new roads, would have brought famine. All notion, therefore, of conveying any articles more than could be carried upon men's shoulders must cease. The notion of artillery, even the smallest pieces, must also cease of course, not even a little ammunition-tumbril could have found its way.—An easy sacrifice to the theorists, who have maintained the inutility of artillery: but any officer who has seen the ground of this supposed march, would point out a dozen passes, not to speak of the passage of the Mohawk, where, strengthened with abattis and such other works as the rebels are expert in making in a few hours, five hundred militia would stop for a time, ten times their number of the best troops in the world who had not artillery to assist them.

Having stated these objections to the principle of a rapid march, let us now, from the knowledge that has been since obtained of circumstances, consider what would have been the certain consequences of the attempt.

Those who are acquainted with the capricious workings of the tempers of men, will not wonder at the difficulty of prevailing upon a common soldier in any exigency to husband his provisions. In a settled camp, the young soldier has very short fare on the fourth day after delivery: but upon a march in bad weather and bad roads, when the weary foot slips back at every step, and a general curse is provoked at the weight that causes the retardment, he must be a patient veteran, and of

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much experience in scarcity, who is not tempted to throw the whole contents of the haversack into the mire. He feels the present incumbrance grievous—Want is a day remote.—“Let the General find a supply: it is the King’s cause and the General’s interest—he will never let the soldier be starved.”

This is common reasoning in the ranks. I state it for those who have not seen fatiguing service, and may have a judgment to form upon it. It need not be applied to the present consideration; for had the march taken place at the time it ought to have done, upon the principle of the defenders of that scheme, the time that Fraser’s corps first past the river upon the bridge of rafts, waste would only have conspired to accomplish in *three days* a ruin that with the best husbandry would have been inevitable in *six*: for the same fall of rain which it has been shewn in evidence actually carried away the bridge a very few days after it was constructed, necessarily made the ford of the Mohawk for an advance, and every ford of the Hudson’s River for a return, impassable. It hardly need be noticed, that a flood must have made any use of rafts, could they have been timely obtained, equally impracticable. The army, therefore would have become victims to famine, without a blow, or a single effort of the enemy. Saratoga must have been the anticipated scene of surrender, without other conditions than the mercy of sustenance; the whole force of Mr. Gates would have been loose to co-operate with Mr. Washington, with the finest season of the campaign before them; and the General of the northern army, without a shadow of professional defence, and precluded from the plea usually so persuasive, that he fought hard before he failed, must have met the censure of his Sovereign and a justly offended country, with none to support him but the present advocates of a rapid march. Could his dependence have been sure even upon them? Would they not rather have adhered to their opposite and original system (for strange as it

is, the same men have supported both) and have asserted, that it was extreme rashness to cross the Hudson's River at all?

If what I have said in objection to the principle and practicability of a rapid march to Albany, previous to the attempt upon Bennington, has weight, very little need be added on the subject afterwards, because every objection will multiply upon the mind of the most cursory observer. I shall only call the attention to a very few essential circumstances. The enemy was in force; a proof of his being so is, that Mr. Gates quitted his position behind the Mohawk, which was his strongest, and advanced to Stillwater. The force found at Bennington upon the march from the Hampshire Grants to the main army, proved the vigour and alacrity of the enemy in that country. The circumstances of the action at Bennington established a yet more melancholy conviction of the fallacy of any dependence upon supposed friends. The noble Lord has said, that "I never despaired of the campaign before the affair of Bennington; that I had no doubt of gaining Albany in as short a time as the army (in due condition of supply) could accomplish the march." I acknowledge the truth of the assertions in their fullest extent; all my letters at the time shew it. I will go further, and in one sense apply with the noble Lord the epithet "fatal" to the affair of Bennington. The knowledge I acquired of the professors of loyalty was "fatal," and put an end to every expectation from enterprise unsustained by dint of force. It would have been excess of frenzy to have trusted for sustenance to the plentiful region of Albany. Had the march thither been practicable in all respects, and even unopposed, (which nobody will think would have been the case) the enemy finding the British army unsupplied, would only have had to compel the Tories to drive the cattle and destroy the corn or the corn mills, and the convention of Albany instead of Saratoga must have followed. Would the Tories have risen? Why did they not rise

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round Albany and below it, at the time they found Mr. Gates's army increasing by separate and distinct parties from remote distances? They were better qualified by their situation to catch the favourable moment than I was to advise it. Why did they not rise in that populous and as supposed well affected district, the German Flats, at the time St. Leger was before Fort Stanwix? A critical insurrection from any one point of the compass within distance to create diversion, would probably have secured the success of the campaign.

Col. St. Leger's letter.
No. XIII.

But to revert to the increase of reasons against a rapid march after the affair of Bennington. It was then also known, that by the false intelligence respecting the strength of Fort Stanwix, the infamous behaviour of the Indians, and the want of the promised co-operation of the loyal inhabitants, Lieut. Col. St. Leger had been obliged to retreat. The first plausible motive in favour of hazardous haste, the facilitating his descent of the Mohawk, was thus at an end. The prospect of finding the enemy dispersed, it has before been shewn, was over.

The impossibility of preserving a communication was also evident. Was the army to have proceeded to action without hospital stores, as well as without victual? The general who carries troops into fire without precautions to alleviate the certain consequences, takes a sure step to alienate affections, and destroy the ardour of the soldier—he exacts more than human spirit can furnish. Men need not be habituated to fields of battle to be convinced of this truth. Let the mind rest for a moment on the objects which will rise within it after the mention of action, and then reflect, there is not a mattress for broken bones, nor a cordial for agony and faintness. They who talk of these rapid marches, suppose no opposition, or no suffering in consequence of opposition. The hundreds of wounded men to be cruelly abandoned (if the rest could be prevailed upon to abandon those whose case might the next day be their own) make no part of the



consideration of these gentlemen of precipitate imaginations. But officers who are responsible to God and their country for the armies they conduct, cannot easily overlook such objects; and must be patient at least till a few hundred beds, and a proper proportion of medicine and chirurgical materials, can be brought up for troops that are to fight as well as to march.

The consideration of rapid movement has run into much length: the stress laid upon it in the cross-examination, was the cause. I beg leave very shortly to recapitulate the principal points, and shall then dismiss it to the public judgment, without great apprehension of having it renewed even in speculation.

Had a proper store of live cattle been obtained by the expedition to Bennington, (and by the bye it will be remembered, that had the loyalists of the country been really of the number and description represented, that acquisition might have been made without an action) all the carriages might have been appropriated solely to the conveyance of flour, hospital accommodations, entrenching tools, and other absolute necessities; and a rapid march to Albany might have been hazarded.

After the expedition to Bennington had failed of that great purpose, had a garrison for Ticonderoga been attainable from Canada, and the force then at Ticonderoga been brought forward, to establish a post of communication, and secure a passage of the river by a fortified bridge, and redoubts upon the heights which every where command the river, on one shore or the other, a forced march might still have been justifiable, because a retreat was secure: but, divested of both these resources, a rapid movement must inevitably have led to rapid ruin.

Having gone through all the material points previous to the 13th of September, and shewn, I trust, by distinct evidence, as well as reasoning, the expediency of the march from Skenesborough to Fort Edward; the principle of the expedition to Bennington; the cause of its failure; the efforts used to bring forward
the

Review of
the measure
of the pas-
sing the
Hudson's
River.

the provision and necessary stores, and the impracticability of proceeding without those stores; the attention of the reader will now be carried to a review of the measure of passing the Hudson's River on that day.

Lord Bal-
carra's
quest. 3 and
4, 21 to 28,
30 to 32.
Lord Har-
rington's,
32 to 37.
Capt. Mo-
ney, 56, 61,
and 65 to
68.

I entered pretty fully, in my Narrative, into the principles which then actuated me; and I shall not enlarge upon them. I have only to request every man who has been led to doubt whether I was required by duty, situation, the voice of the army, and the voice of reason, to advance and fight, to follow the consideration of those principles, with a revival of the applicable part of the verbal evidence, and I will then venture further to appeal to their judgment, whether, instead of being required, I was not compelled, by the state of things, to act as I did; even independently of the peremptory tenor of my orders, which, confident in the strength of my case, I have purposely omitted, upon this occasion, to reconsider.

Brigadier
Fraser's
sentiments.

In regard to the point so much agitated in this country, though with no foundation whatever from any thing that happened in America, Brigadier Fraser's sentiments upon this measure of passing the Hudson's River, it would be trifling with the patience of the reader to recapitulate and point the evidence to a matter which I do not believe there is a man so prejudiced as now to dispute, viz. that that officer joined in opinion and impatience with the rest of the army. But though the falsehoods so grossly and so long imposed upon the public, respecting this matter, are no more, it may not be unworthy curiosity to explore their origin and trace their progress.

Progress of
the false-
hoods pro-
pagated.

It is not difficult to discern that the suspicion of difference of opinion in the army, upon the measure of passing the Hudson's River, arose from the paragraph in my public letter from Albany to the Secretary of State, wherein I say that I had called no council upon that subject, but had acted upon my own judgment of the peremptory tenor of my orders.

That

That a man, chief in authority, should take intirely upon himself a measure of doubtful consequence, and upon mere principle preclude himself from any future means of shifting or dividing the blame that might ensue, appeared incredible at Whitehall: the greater part of that political school concluded the profession of such candour must be a finesse, and that, in fact, the General had not communicated with his officers, because he knew opinions would have been against him.

When little minds think they have got a clue of littleness, it is wonderful with what zeal and dexterity they pursue and improve it. Correspondence and intelligence were not wanting; disappointed jobbers, discarded servants, dissatisfied fugitives of every sort, spies, tale-bearers, and sycophants, whom it is to the honour of a General to have his enemies, and a disgrace to office to encourage, abounded in town; and the primary idea once given, it was carried forward by very ready assistance, and even logical deduction. —
As thus:

The General declares in his dispatch, he called no man into council upon the measure of passing the Hudson's River: *Therefore*, his officers differed in opinion upon the expediency of advancing.

To differ in opinion upon that expediency, they must construe his orders not to be peremptory: *Therefore*, he stands single in the interpretation he put upon his orders.

If his officers saw that he was unadvisedly and desperately leading his army to death, they would certainly remonstrate: *Therefore*, they remonstrated.

The remonstrance would naturally be made to him by superior officers: *Therefore*, the conclusion follows; Major General Phillips and Brigadier General Fraser actually made a remonstrance against passing the Hudson's River.

General Reidesel, who was next in rank to General Phillips, seems to have been forgotten. He was probably

REVIEW OF THE EVIDENCE.

bably overlooked in the eagerness to get at General Fraser, on whose name the important stress was laid, and for two palpable reasons; the one, that his name stood high in the public estimation, and greatly as it deserved so to stand, perhaps it acquired, upon this intended use, more justice from some quarters than it would otherwise have received.

The second and more prevalent reason was, that Brigadier General Fraser was dead.

Thus then stood the assertion when I arrived in England: "*Major General Phillips and Brigadier General Fraser remonstrated against passing the Hudson's River, which movement was the cause of all the subsequent misfortunes.*" And having traced this falsehood to its maturity, it now may be equally curious to follow its decline.

After my arrival in England, the friendship, and general conformity of sentiment between General Phillips and me became more known. He was alive, and might possibly soon return. His name was therefore withdrawn from the remonstrance, and reserved, in case he did not return, to give colour to a second falsehood,* then kept back, but since produced as one of the last efforts of malignity in the course of the late enquiry.

The first public occasion that offered was seized by me to pledge my honour upon the whole story of disagreement of opinion being false; and I dared any man to produce a letter or a sentence, from Brigadier Fraser or any other officer, to authorise a suspicion of its being true. Lieutenant General Fraser, upon the same occasion in the House of Commons, voluntarily and generously entered into my justification, upon the authority of his correspondence with his late relation, and the knowledge of his general sentiments.

* That General Phillips offered to conduct a part of the army from Saratoga to Ticonderoga. See this falsehood refuted, in the evidence of Lord Balcarras, Col. Kingston, &c.

The falsehood was immediately so far weakened, that the word *Remonstrance* was changed into *Opinion*. "*Brigadier Fraser's opinion was against passing the Hudson's River*;" and thus it remained, now and then assisted and cherished, when it was very languid, by a whisper, "*that there were still letters to be produced*," till the late enquiry took place; and the evidence of Lord Balcarras, Lord Harrington, Colonel Kingston, &c. gave the death blow to the last struggling efforts of that calumny. The rashness of passing the Hudson's River was obliterated; every comment upon that *fatal* step was suddenly dropt, as if the river had sunk under ground; the charge, with the full accompaniment of General Fraser's disapprobation, remonstrance, &c. &c. was shifted; the minister was as nimble as his confederates, and exclaimed upon the *fatality* of the expedition to Bennington.

And here I shall finally rest the support I have been so anxious to derive from that grave which has been ransacked by my adversaries for evidence against me. As a soldier I avow a pride in having possessed Brigadier Fraser's esteem. As a defendant I am sensible I have dwelt upon it to a fault. The precedent of a Chief in Command suffering the comments of an inferior to be a test of his actions, requires an apology to my profession. It lies in the eminence of my friend's character. His approbation gave a grace to my defence, and I was impatient to confute the calumny that would have robbed me of it; but to admit that it was necessary for my acquittal would be to countenance and forward the most pernicious and preposterous doctrine that ever was practised to mislead the public, and to betray the service.

The comments of an inferior officer no proper test of a superior's conduct.

When a minister or his confederates lean upon private report, table talk, and half sentences, to depreciate an officer they dare not themselves accuse, it is a feebleness of vengeance that, in its first aspect, is contemptible in the extreme; but it calls for our indignation when we extend our view to its principle and effects.

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effects. They operate to the very inversion of due patronage, and the absolute extinction of every idea upon which command ought to be bestowed, or can efficaciously be exercised; they tend to encourage officers to be spies and informers; to render camps and fleets, properly the residence of harmony and honour, the seats of suspicion, discord, faction, treachery, and mutiny.

The diversity and importance of the matter brought to review in the period of the campaign I am now closing, has led to greater length than I was aware of; but I cannot dismiss it without one reference, addressed to such of the examiners of my conduct as have insisted upon the tardiness of the northern army.

Comparative view of the campaigns in 1759 and 1777.

The reference I would plead is to a campaign in the same country, memorable for having been conducted by an officer whose example must be acknowledged, at this juncture, to be of splendid and peculiar authority; I mean the campaign of Lord Amherst, in the year 1759.

The great points of the war in America that year were to divide the enemy's force, and at the same time to direct the several operations with such concurrence, that, though separate and remote, they should assist each other. The first objects of the army to which I allude were to reduce Ticonderoga and Crown Point, and the ultimate and most important one was to effect a junction with Mr. Wolfe before Quebec.

Thus far there is great similarity between the plans of the two campaigns, except that the points from which the armies marched, and to which they were destined, were exactly reversed.

In the Spring, 1759, the army, then assembled at Albany, took the field as early as the season would admit: but such were the natural impediments of the country, that though supported by the unanimous zeal of the inhabitants, and furnished with abundant supplies of draft cattle, carriages, water-craft, and every other necessary; the several departments well directed,
and

and no enemy to oppose the march, the General (Lord Amherst) was not able to commence the attack of Ticonderoga till the 7th of July, when the enemy abandoned that post, and retreated to Crown Point.

The distance from Albany to Fort George is between sixty and seventy miles, the passage over Lake George to Ticonderoga about forty miles.

The General had reason to believe that Crown Point would be given up at his approach as precipitately as Ticonderoga had been. He did not, however, reach it, a distance of thirteen miles, and water-carriage at will, till the 14th of August.

Was it at that time asked by the minister or his adherents, what was the army doing not to pursue a flying enemy?—Not to pursue when the whole country behind was their own, and magazines, baggage, hospitals, and every other necessary, might follow at leisure, and in security! When it was foreseen an increase of fleet was to be constructed at Crown Point, to obtain the superiority over the enemy upon Lake Champlain, and consequently that every day's delay, in becoming master of that post, risked the campaign!

Although these enquiries were not then suggested to the public, an answer to them has been given, greatly to the honour of the General, in a very impartial history of that time. "The army was employed in repairing the fortifications at Ticonderoga; and the General took his measures with the same care as if he had expected an obstinate defence, and attempt to surprise him on his march."

The enemy actually did abandon Crown Point on the approach of the General, the 14th of August; and, as soon as in possession of that post, he set about fortifying it as he had done Ticonderoga. The time consumed in that operation, and in building new vessels, brought it to the middle of October before the General could embark upon the Lake. A suspense, undoubtedly, of great anxiety; for the great end of the

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the campaign, the junction of the two armies, upon which the reduction of all Canada was thought to depend, was unattained.

But did the minister or his adherents *then* cavil at the tardiness of that army?—Enterprising, sanguine, and impetuous, as was the character of that minister's councils, there was not less energy in his protection. The nation, not a party, were his adherents; and his word was a *fiat* of fame. He bestowed emphatic praises on his general; and a failing campaign became part of that basis, from which he has ascended to the high honours he now deservedly possesses.

It would be great presumption, and it is far from being intended, to draw any parallels or inferences from the campaigns of 1759 and 1777, except such as merely apply to consumption of time under similar circumstances. In other points the pretensions of the respective Generals may be as different as their fortunes; or, to make a much clearer distinction, and a yet stronger contrast, as wide asunder as the auspices under which they served, those of Mr. Pitt and of Lord George Germain.

Observations, &c. respecting the third Period.

“ A series of hard toil, incessant effort, stubborn
 “ action, till disabled in the collateral branches of the
 “ army, by the total defection of the Indians, and the
 “ desertion or timidity of the Canadians and Provincials,
 “ some individuals excepted; disappointed in the last
 “ hope of any timely co-operation from other armies;
 “ the regular troops reduced, by losses from the best
 “ parts, to 3500 fighting men, not 2000 of which
 “ were British; only three days provisions, upon short
 “ allowance, in store; invested by an army of 16,000
 “ men, and no apparent means of retreat remaining,
 “ I called into council all the generals, field officers,
 “ and captains commanding corps, and by their un-
 “ animous concurrence and advice, I was induced to
 “ open a treaty with Major General Gates, &c.”

Such

Such was the summary of affairs given in my letter from Albany to the secretary of state. At the time it was written, I little expected to have occasion for any other testimony of my actions; and it has therefore been supposed, that I gave them a colouring more specious than exact. This is the stage of my defence in which I am desirous to bring that matter to judgment; and I have quoted the above passage, expressly to lead the attention of every examiner to the whole of that letter. Let it now be considered, unitedly with my late Narrative, and both be compared in detail with the evidence—I am bold to stake my cause upon the issue—And resting upon these references, my comments upon this period, though it is the most important, will be shorter than upon either of the former: the proofs also are more collected, and the matters controverted or started in cross-examination are fewer.

The first remark I have to make is, that while the managers of the minister's cause have never admitted a doubt of the reality of those movements in the campaign, with the propriety of which their ingenuity promised them even a colourable cause of cavil, they have had the address, when any little skill and conduct were generally acknowledged, to call the existence of such movements into question. I cannot make this remark more pertinently than at present, when the march of the army, preceding the action of the 19th of September, is in its due place the object of notice—"A pretty combination of columns and deployments composed at Albany, and very fit for a "Gazette." This sort of language I believe most persons have heard, who have conversed with the dependents or runners of office, and it will be my excuse for submitting to the judgment of my profession a plan of the movement. It will shew in some degree the difficulties that the nature of the country opposed to a combined march of columns; and at the same time the disadvantage (I might say, the certain defeat)

Appendix
No. XIV.

March to
the enemy
on the 19th
of Sept.
Plan IV.

M

that

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that must have been sustained, had the army been only in one column upon the ground where it was attacked, or had the combination of the other columns, those of General Frazer in particular, been less exact to the point of time in which it was expedient they should arrive and form.

Lord Balcar-
carras, q.
33, 34,
Maj. For-
bes, q. 3 to
7, Lord
Harring-
ton's q. 38
to 42 inclu-
sive.

To prove that this march was not *composed* at Albany, I refer to several witnesses, but particularly to the Earl of Harrington. His situation, as my aid-de-camp, gave him a general knowledge of a movement, that an officer employed in the execution of a single part of it could not have acquired. It will be considered by all who know the qualities of my noble friend, as very honourable to the dispositions of that day, that they are so circumstantially retained in so distinguishing a mind; and for my own part, I cannot commit them to military judgment under a better trust than the accuracy of his description.

I shall not therefore detain the reader an instant longer from a subject so worthy his attention, as the evidence respecting the behaviour of the troops in the ensuing events of that day.

Action of
19th Sept.

Lord Har-
rington's q.
43, to 49
inclusive.
Lord Balcar-
ras, 35 to 39.
Capt. Mo-
ney, 26 to
30.
Maj. For-
bes, 8 to 10.
Lieut. Col.
Kingdon,
57 to 67.

Few actions have been characterized by more obstinacy in attack or defence. The British bayonet was repeatedly tried ineffectually. Eleven hundred British soldiers, foiled in these trials, bore incessant fire from a succession of fresh troops in superior numbers, for above four hours; and after a loss of above a third of their numbers, (and in one of the regiments above two thirds) forced the enemy at last. Of a detachment of a captain and forty-eight artillery men, the captain and thirty-six were killed or wounded. These facts are marked by a concurrence of evidence that no man will dispute. The tribute of praise due to such troops will not be wanting in this generous nation; and it will as certainly be accompanied with a just portion of shame to those who have dared to depreciate or sully valour so conspicuous—who have their ears open only to the prejudice of American cowardice;

ears

and having been always loud upon that courtly topic, stifle the glory of their countrymen to maintain a base consistency.

It will be observable from the accounts of the killed and wounded, that the loss of officers in all the actions of the campaign was proportionably much greater than that of the private men: and as this observation applies particularly to the action we are considering, it may not be improper to account for it in this place.

The enemy had with their army great numbers of marksmen, armed with rifle-barrel pieces: these, during an engagement, hovered upon the flanks in small detachments, and were very expert in securing themselves, and in shifting their ground. In this action, many placed themselves in high trees in the rear of their own line, and there was seldom a minute's interval of smoke, in any part of our line without officers being taken off by single shot.

It will naturally be supposed, that the Indians would be of great use against this mode of fighting. The example of those that remained after the great desertion proved the contrary, for not a man of them was to be brought within the sound of a rifle shot. The Canadians were formerly very expert in service of this nature; but besides the change in their military character, which I noticed before, their best officer was killed early in the action, which event cast a general damp upon the corps. A few of the Provincials were serviceable: but the best men I had to oppose as marksmen were the German chasseurs, though their

* Captain Green, aid-de-camp to Major General Phillips, was shot through the arm by one of these marksmen as he was delivering me a message. I learned, after the convention, from the commanding officer of the riflemen, that the shot was meant for me; and as the captain was seen to fall from his horse, it was for some hours believed in the enemy's army that I was killed. My escape was owing to the captain happening to have a laced furniture to his saddle, which made him mistaken for the general.

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Proceed-
ings of the
army after
the action.

Cross-exa-
mination of
Lord Bal-
carra, qu.
98 to 100.
Ditto of
Lord Har-
rington, 50
and 106.
Lieut. Col.
Kingston,
68.
Maj. For-
bes, 19.
Capt. Mo-
ney, 32.
Lieut. Col.
Kingston,
69 to 76.
Lord Har-
rington, 56.
Lord Bal-
carra, qu.
100.

number was so small, as not to be one to twenty of the enemy.

The cross-examination upon the proceedings of the army after this action will shew the folly there would be in bringing a military cause to a parliamentary enquiry, upon the presumption that any parts of it would be left unexamined. The very want of practical knowledge in the enquiries renders them more inquisitive, and much more tenacious of doubts and surmises, than they would otherwise be: for instance; I do not believe that with an army exhausted by a long and severe action, and deprived of an uncommon portion of officers, the question of attacking the enemy next morning would have occurred to any man of professional judgment: that enemy too in a position of which no further knowledge could be obtained than that it was covered by an intrenchment and abattis, and the approach to be made through a thick wood, without any avenue cut, or a single post fortified to secure a retreat, or to cover the magazine, which afforded the only possible means of subsistence.

Equally remote would be the thoughts of military men from attacking a few days after, when it appeared I had received a letter from Sir Henry Clinton, informing me of a diversion so powerful as an attack upon Fort Montgomery to be undertaken as at that very time.

The questions relating to the enemy having their baggage packed, if that circumstance was meant as an indication that they meant to retreat, is another proof how little the questioners knew of service. It does not appear in evidence how the fact was: but no officer will dispute, that if the enemy had not only packed their baggage, but actually conveyed it to the other side the river, they would have acted conformably to the general practice of service when action is expected; and to no circumstance of service more than to that when it is resolved to dispute a post to the last extremity.

Upon

Upon the whole of my situation at that time, I am so confident that it was the part of an officer to fortify and wait events, that I am only further intent to prove that I fortified properly, the nature of the ground and my several purposes considered. Upon this principle I submit the plan annexed. It will also shew the nature of the ground between the two armies, and serve to explain the difficulties the witnesses express of taking a view of the enemy's left: but it will be considered, that besides these apparent obstacles to a near approach, the enemy abounded in militia, which supplied outposts and scouts, that could by no means be driven in without making the army liable to a general action.

As for any other intelligence than what could be obtained by eye-sight it was generally contradictory, always imperfect; the deserters were often suspicious, the prisoners very few. I never saw any instance of service where it was so difficult to obtain information. Among people speaking the same language with ourselves, and many of them professing the most favourable dispositions, scarcely any could be prevailed upon, by rewards or principle, to risk his person for the purpose of intelligence.

In regard to the cross-examination, respecting the time necessary for the construction of the redoubts and other works, I neither thought it worth while to contest it at the time, nor shall I contest it now, though nothing would be more easy than to shew that there was a great deal of necessary labour which the questions did not lead to, and consequently the witnesses could not with propriety enter into the explanation of them. But what makes the consumption of time to me immaterial is, that I place my justification upon the expediency of waiting the co-operation from Sir Henry Clinton. It is in proof, that I received a letter from him the day after the action of the 19th,* informing

* The original letter is in my possession, but could not be produced without discovering a secret mode of conveying intelligence that it might be improper to make public.

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me that he meditated an attack upon Fort Montgomery as at that very time. And as I have already said, that I should have thought it the part of madness to have risked an attack upon the enemy, in the weak state of my army, for some time after the late action, and under the expectation of so powerful a diversion; so should I have deferred it longer, even after being recruited from the hospital, on account of the same expectation, and the further chance of the reinforcement of Colonel St. Leger's corps, and perhaps a convoy of provisions from Ticonderoga: so far am I from conceiving the past delay blameable, that I acknowledge the measure of the 7th of October was precipitated by some days, by the forage being become so scarce, that a supply could only be obtained by a movement of the army.

Alert situation of the army from 20th Sept. to 7th Oct.

If any persons have supposed, that what has been called the inactive state of the army at this period was a state of rest, they are as much mistaken as they would be if they supposed it in any other circumstance comfortable. From the 20th of September to the 7th of October, the armies were so near, that not a night passed without firing, and sometimes concerted attacks upon our advanced picquets; no foraging party could be made without great detachments to cover it; it was the plan of the enemy to harass the army by constant alarms, and their superiority of numbers enabled them to attempt it without fatigue to themselves.

By being habituated to fire, our soldiers became indifferent to it, and were capable of eating or sleeping when it was very near them: but I do not believe either officer or soldier ever slept during that interval without his cloaths, or that any general officer, or commander of a regiment, passed a single night without being upon his legs occasionally at different hours, and constantly an hour before day-light.

Lord Balcarras, 46, &c.

The circumstances in general of the action of the 7th of October stand in that arrangement in the evidence

evidence of the Earl of Balcarras, Earl of Harrington, Lieut. Col. Kingston, and Captain Money, and have been so little controverted by cross-examination, that any length of comment upon them is unnecessary. I will only observe, that the movement of the enemy under General Arnold, mentioned in my Narrative is confirmed as far as circumstantial testimony can confirm it, by Captain Money. And if there can be any persons, who, after considering that circumstance, and the positive proof of the subsequent obstinacy, in the attack upon the post of Lord Balcarras, and various other actions of that day, continue to doubt, that the Americans possess the *quality* and *faculty* of fighting (call it by whatever term they please) they are of a prejudice that it would be very absurd longer to contend with.

Lord Harrington, 57, &c.
Lieut. Col. Kingston, 77, &c.
Capt. Money, 35 to 48.
See also Plan V.

But though comments upon this part of the evidence may be spared, the remembrance of what I personally underwent cannot so easily be suppressed; and I am sure I shall not outgo the indulgence of the candid, if in delineating situations so affecting, I add feelings to justification. The defence of military conduct is an interesting point of professional honour; but to vindicate the heart, is a duty to God and to society at large.

Few conjunctures in the campaign I have been describing, few, perhaps, upon military record can be found so distinguished by exigencies, or productive of such critical and anxious calls upon public character, and private affection, as that which now took place.

In the first place, the position of the army was untenable, and yet an immediate retreat was impossible; not only from the fatigue of the troops, but from the necessity of delivering fresh ammunition and provisions.

Lord Balcarras, 52a

The losses in the action were uncommonly severe. Sir Francis Clarke, my aid-de-camp, had originally recommended himself to my attention by his talents

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and diligence: as service and intimacy opened his character more, he became endeared to me by every quality that can create esteem. I lost in him an useful assistant, an amiable companion, an attached friend: the state was deprived by his death, of one of the fairest promises of an able general.

The fate of Colonel Ackland, taken prisoner, and then supposed to be mortally wounded, was a second source of anxiety—General Frazer was expiring.

In the course of the action, a shot had passed through my hat, and another had torn my waistcoat. I should be sorry to be thought at any time insensible to the protecting hand of Providence; but I ever more particularly considered (and I hope not superstitiously) a soldier's hair-breadth escapes as incentives to duty, a *marked renewal of the trust of Being*, for the due purposes of a public station; and under that reflection to lose our fortitude, by giving way to our affections; to be diverted by any possible self-emotion from meeting a present exigency with our best faculties, were at once dishonour and impiety.

Having therefore put aside for a time my private sensations, it has been shewn that I effected an entire change in the position of the army before day-light. The plan will shew the new ground taken up. Early in the morning of the 8th, General Frazer breathed his last—and with the kindest expressions of his affection, his last request was brought me, that he might be carried without parade by the soldiers of his corps to the great redoubt, and buried there. The whole day of the 8th of October was correspondent to this *inauspicious* beginning. The hours were measured by a succession of immediate cares, encreasing doubts, and melancholy objects. The enemy were formed in two lines. Every part of their disposition, as well as the repeated attacks upon Lord Balcarras's corps, and the cannonade from the plain, kept the troops in momentary expectation of a general action. During this suspense, wounded officers, some upon crutches, and others

Lord Balcarras, 53.
Lord Harrington, 66.
Plan, No. VI.
State of things on the 8th.

Lord Harrington, 67, &c.

others even carried upon hand-barrows by their servants, were occasionally ascending the hill from the hospital tents, to take their share in the action, or follow the march of the army. The gene-
rals were employed in exhorting the troops.

About sun-set the corpse of General Fraser was brought up the hill, attended only by the officers who had lived in his family. To arrive at the redoubt, it passed within view of the greatest part of both armies. General Phillips, General Reidesel, and myself, who were standing together, were struck with the humility of the procession: They who were ignorant that privacy had been requested, might construe it neglect. We could neither endure that reflection, nor indeed restrain our natural propensity to pay our last attention to his remains. The circumstances that ensued cannot be better described than they have been by different witnesses.* The incessant cannonade during the solemnity; the steady attitude and unaltered voice with which the chaplain officiated, though frequently covered with dust, which the shot threw upon all sides of him; the mute but expressive mixture of sensibility and indignation upon every countenance: these objects will remain to the last of life upon the minds of every man who was present. The growing duskiness added to the scenery, and the whole marked a character of that juncture that would make one of the finest subjects for the pencil of a master that the field ever exhibited—To the canvas and to the faithful page of a more important historian, gallant friend! I consign thy memory. There may thy talents, thy manly virtues, their progress and their period, find due distinction; and long may they survive;—long after the frail record of my pen shall be forgotten.

The reflections arising from these scenes gave place to the perplexities of the night. A defeated army was to retreat from an enemy flushed with success, much superior in front, and occupying strong posts in the country behind. We were equally liable upon that march

Night
march of
the 8th.

* Particularly Lieut. Col. Kingston, 85.

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Lord Har-
rington 70,
and from
112 to 118.

march to be attacked in front, in flank, or rear. The disposition of a march had been concerted as much as circumstances would admit; and it was executed by the officers and the troops in general with a precision that experience in critical situations can only teach. The baggage, which could only move in one column, and in a narrow road, fell into the confusion which it is impossible for caution to guard against in the dark, because a single accident of an overturn or a broken wheel, or even the stupidity or drunkenness of a driver, may stop, and often confuse the motion of the whole line. Care was taken that no such accident should break the order of the troops: and orders were sent to Major General Phillips, who commanded the rear guard, in case he was attacked, to pay attention only to the main object of covering the troops; or, if occasion were, of taking a position to give them time to form.

Continu-
ance of the
march on
the 9th.

At day-break the next morning the army had reached very advantageous ground, and took a position in which it would have been very desirable to receive the enemy. A halt was necessary to refresh the troops, and to give time to the bateaux, loaded with provisions, which had not been able to keep pace with the troops, to come a-breast. A portion of provisions was delivered also from the bateaux, not without apprehension that that delivery might be the last: for there were parts of the river in which the boats might be attacked from the other side to great advantage, notwithstanding the correspondent movement of the army.

The above purposes being effected, the army proceeded in very severe weather, and through exceeding bad roads.

Besides the continuation of difficulties and general fatigue, this day was remarkable for a circumstance of private distress too peculiar and affecting to be omitted. The circumstance to which I allude is Lady Harriet Ackland's passage through the enemy's army,

my, to attend her wounded husband, then their prisoner.

The progress of this lady with the army could hardly be thought abruptly or superfluously introduced, were it only so for the purpose of authenticating a wonderful story.—It would exhibit, if well delineated, an interesting picture of the spirit, the enterprise, and the distress of romance, realized and regulated upon the chaste and sober principles of rational love and connubial duty.

Extraordinary occurrence of private distress.

But I beg leave to observe besides, that it has direct reference to my subject, to shew what the luxuries were with which (as the world has been taught to believe) the army was encumbered; what were the accommodations prepared for the *two thousand women* that are gravely supposed, in the cross examination, to have followed with the baggage. An idea so preposterous, as well as false, would have been a fitter subject for derision than refutation, but that it was maliciously intended; not, I am confident, by the member who asked the questions, but by the persons who imposed upon him, to effect by prejudice what they despaired of effecting by fact.—Not content with cavilling at our pretensions of having *fought* hard, they would not allow the army even the claim upon the good-nature of the nation, of having *fared* hard for its service.

Lieut. Col. Kingston, from 131 to 133.

I shall however consider part of this story as so far unconnected with the immediate business I was upon (pursuing the line of evidence upon the retreat to Saratoga) as to give it in the margin. It may well stand by itself; and I venture to think that this one example of patience, suffering, and fortitude, will be permitted to pass without censure or obloquy*.

When the army was upon the point of moving after

* Lady Harriet Ackland had accompanied her husband to Canada in the beginning of the year 1776. In the course of that campaign she had traversed a vast space of country, in different parts of the province. On the march of the army, she was often exposed to the greatest dangers, and in several instances was actually wounded.

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the halt described, I received a message from Lady Harriet, submitting to my decision a proposal (and expressing an earnest solicitude to execute it, if not interfering with my designs) of passing to the camp of the enemy, and requesting General Gates's permission to attend her husband.

Though I was ready to believe (for I had experienced) that patience and fortitude, in a supreme degree

extremities of season, and with difficulties that an European traveller will not easily conceive, to attend, in a poor hut at Chamblée, upon his sick bed.

In the opening of the campaign of 1777 she was restrained from offering herself to a share of the fatigue and hazard expected before Ticonderoga, by the positive injunctions of her husband. The day after the conquest of that place, he was badly wounded, and she crossed the Lake Champlain to join him.

As soon as he recovered, Lady Harriet proceeded to follow his fortunes through the campaign, and at Fort Edward, or at the next camp, she acquired a two-wheel tumbril, which had been constructed by the artificers of the artillery, something similar to the carriage used for the mail upon the great roads of England. Major Ackland commanded the British grenadiers, which were attached to General Frazer's corps; and consequently were always the most advanced post of the army. Their situations were often so alert, that no person slept out of their cloaths. In one of these situations a tent, in which the major and Lady Harriet were asleep, suddenly took fire. An orderly serjeant of grenadiers, with great hazard of suffocation, dragged out the first person he caught hold of. It proved to be the major. It happened, that in the same instant she had, unknowing what she did, and perhaps not perfectly awake, providentially made her escape, by creeping under the walls of the back part of the tent. The first object she saw, upon the recovery of her senses, was the major on the other side, and in the same instant again in the fire, in search of her. The serjeant again saved him, but not without the major being very severely burned in his face and different parts of the body. Every thing they had with them in the tent was consumed.

This accident happened a little time before the army passed the Hudson's River. It neither altered the resolution nor the cheerfulness of Lady Harriet; and she continued her progress, a partaker of the fatigues of the advanced corps. The next call upon her fortitude was of a different nature, and more distressful, as of longer suspense. On the march of the 19, the grenadiers

grace, were to be found, as well as every other virtue, under the most tender forms, I was astonished at this proposal. After so long an agitation of the spirits, exhausted not only for want of rest, but absolutely want of food, drenched in rains for twelve hours together, that a woman should be capable of such an undertaking as delivering herself to the enemy, probably in the night, and uncertain of what hands she might first fall into, appeared an effort above human nature. The assistance I was enabled to give was small indeed; I had not even a cup of wine to offer her; but I was told she had found, from some kind and fortunate hand, a little rum and dirty water. All I could furnish to her was an open boat and a few lines, written

grenadiers being liable to action at every step, she had been directed by the major to follow the route of the artillery and baggage, which was not exposed. At the time the action began she found herself near a small uninhabited hut, where she alighted. When it was found the action was becoming general and bloody, the surgeons of the hospital took possession of the same place, as the most convenient for the first care of the wounded. Thus was this lady in hearing of one continued fire of cannon and musketry, for four hours together, with the presumption, from the post of her husband at the head of the grenadiers, that he was in the most exposed part of the action. She had three female companions, the Baroness of Reidesel and the wives of two British officers, Major Harnage and Lieutenant Reynell; but in the event their presence served but little for comfort. Major Harnage was soon brought to the surgeons, very badly wounded; and a little time after came intelligence that Lieutenant Reynell was shot dead. Imagination will want no helps to figure the state of the whole groupe.

From the date of that action to the 7th of October, Lady Harriet, with her usual serenity, stood prepared for new trials! and it was her lot that their severity increased with their numbers. She was again exposed to the hearing of the whole action, and at last received the shock of her individual misfortune, mixed with the intelligence of the general calamity, the troops were defeated, and Major Ackland, desperately wounded, was a prisoner.

The day of the 8th was passed by Lady Harriet and her companions in common anxiety, not a tent, nor a shed being standing, except what belonged to the Hospital, their refuge was among the wounded and the dying.

upon

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upon dirty wet paper, to General Gates, recommending her to his protection.

Mr. Brudenell, the chaplain to the artillery (the same gentleman who had officiated so signally at General Fraser's funeral) readily undertook to accompany her, and with one female servant, and the major's valet-de-chambre (who had a ball which he had received in the late action then in his shoulder) she rowed down the river to meet the enemy. But her distresses were not yet to end. The night was advanced before the boat reached the enemy's out-posts, and the sentinel would not let it pass, nor even come on shore. In vain Mr. Brudenell offered the flag of truce, and represented the state of the extraordinary passenger. The guard, apprehensive of treachery, and punctilious to their orders, threatened to fire into the boat if it stirred before day-light. Her anxiety and suffering were thus protracted through seven or eight dark and cold hours; and her reflections upon that first reception could not give her very encouraging ideas of the treatment she was afterwards to expect. But it is due to justice at the close of this adventure to say, that she was received and accommodated by General Gates with all the humanity and respect that her rank, her merits and her fortunes deserved.

Let such as are affected by these circumstances of alarm, hardship and danger, recollect, that the subject of them was a woman; of the most tender and delicate frame; of the gentlest manners; habituated to all the soft elegancies, and refined enjoyments, that attend high birth and fortune; and far advanced in a state in which the tender cares, always due to the sex, become indispensibly necessary. Her mind alone was formed for such trials.

Arrival of
the army at
Saratoga.
Lord Har-
rington,
71, &c.

Ld. Balcar-
na, 57, &c.

I now return to the army, which arrived in the night at Saratoga, in such state of fatigue, that the men for the most part had not strength or inclination to cut wood and make fires, but rather sought sleep in their wet cloaths upon the wet ground under the continuing rain, and it was not till after day-light that the artillery and the last of the troops past the Fish-Kill, and took a position

upon the heights and in the redoubts formerly constructed.

The interval between taking that position, and the conclusion of the treaty, is the solemn crisis in which I consider myself as peculiarly accountable to my country. And if all the circumstances mentioned by me, in my own vindication, in my Letters, or my Narrative, are not established, and many of them strengthened by positive proof; if every surmise of a surrender on my part, while there was a possibility of avoiding it by fight, by manœuvre, or by retreat, is not done away; if even in the last extremity, it does not appear I was ready and forward to prefer death to dishonour; if the evidence I have adduced is not clear, distinct, and direct to these points, the public odium, piercingly as it affects a sensible breast, would be far short of the punishment I deserve.

Interval between the arrival at Saratoga and signing the convention.

I cannot but consider it as one encouragement under this appeal, and it is no small one, that though very few parts of my preceding conduct have escaped the scrutiny of cross-examination, not a material transaction of this crisis has been controverted or glanced at, I beg leave to recapitulate the transactions upon which I rely.

It is proved by the evidence of the Earl of Harrington and Colonel Kingston, that the enemy was posted on the east side the river to guard the ford.

Lord Harrington, 74 to 76. Lieut. Col. Kingston, 86. See the plan. Lieut. Col. Kingston, 91, 92.

It is further proved by the evidence of Lieut. Col. Kingston, that in concert with the general officers, it was determined to try a night march on the east side the river, abandoning the baggage; and that the attempt was prevented by the impossibility attending the delivery of necessary provision. The same witness goes on to shew, that the next day it was evident, that had the delivery been possible, the attempt would still have failed, for we then received intelligence of the enemy being previously in possession, in force, of the country on both sides the river between us and Fort Edward.*

Lieut. Col. Kingston, 93, 94, 95.

* It was also in contemplation to force a way back to Albany, had the enemy in the distribution of their posts weakened their right, so as to have made the effort possible. See Lord Harrington's evidence.

While

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Lieut. Col.
Kingston,
88, 89, 90.

See the
plan. No.
VII.

Lord Har-
rington, 84,
85, 86.
Lord Bal-
carras, from
60 to the
end. Maj.
Forbes, 22
to 29. Lord
Balcarras,
64.

While the army was lying day and night upon their arms, "in anxious hope of succour from our friends, "or as the next desirable expectation, an attack from "the enemy,"* I cannot omit observing from the same evidence (that of Colonel Kingston) how near the last expectation was being accomplished. It would be improper to pronounce positively what would have been the issue: but I request the attention of my military readers to the plan of the ground, as an argument of the probability of success. The disposition of the enemy being to pass the Fish-Kill in different columns, and to make their great effort upon the plain, they must have formed under the fire of all our park artillery, within reach of grape shot, a cross fire from the artillery and musketry of the entrenched corps upon the hill, and the musketry of the 20th regiment, which was at easy distance to be supported by the Germans, in front; added to this would have been the advantage, which though always wished for we never had attained, of a charge upon an open plain. I am persuaded the general judgement will go with me when I lament the accident that prevented the enemy's design (when so far advanced in it, as actually to have passed the river with one column) as one of the most adverse strokes of fortune in the whole campaign.

The state of things after this disappointment is given by the Earl of Harrington: "It was as bad as possible; the numbers of the army were few, their provisions short, their position not a good one, owing to the nature of the country." This state is corroborated by the evidence of the Earl of Balcarras and Major Forbes, with the additional circumstance, that there was not a spot to be found in the whole position which was not exposed to cannon or rifle shot.

The minutes of the first council of war prove the unanimity of opinion for opening the treaty; and it is proved by the evidence of Colonel Kingston, that the force of the enemy was actually greater, and their

* Letter from Albany to the Secretary of State.

position

position stronger, than the intelligence I had received and laid before the council of war represented them.

It is proved by the fullest evidence, that the terms first proposed by the enemy were instantly and unanimously rejected by the council of war as dishonourable.

Maj. Forbes,
31 to 34.
Lord Balcarras,
as, 65 to 73.

The same unanimity in approving the terms I proposed and obtained, is equally incontestibly established.

And lastly, two papers are produced, and authenticated beyond a possibility of cavil, the one General Gates's return signed by himself, shewing the effective strength present of the rebel army; the other, the minutes of the last council of war, shewing, that even supported as I was by the unanimity of the former councils,

Appendix,
No. XVI.
Appendix,
No. XVII.

in opening and conducting the treaty, I was repugnant to the signing of it, upon a slight hope entertained of a remote relief—(a hope arising from some intelligence received in the night of Sir Henry Clinton's moving up the North River) and gave my voice against a majority accordingly; that I at last thought myself compelled to yield to the majority upon "the uncertainty of the intelligence, and the improbability of General Clinton's motions being effectual if true; upon the doubts entertained of some part of the troops, if the negotiation of the treaty ceased, and of a greater part for want of bodily strength, if desperate enterprizes were to be afterwards undertaken; and lastly, upon the reflection that a miscarriage of such enterprizes must be fatal to the whole army, and that even a victory could not save it."

See also
Lord Balcarras, 130,
131, 132.

To this mass of evidence, apposite and direct to every fact essential to my justification, I beg leave to add the opinion of the army, that the terms obtained were better than the situation of things gave us a right to expect. For a proof that such was their opinion, I refer to the testimony of Lord Balcarras.

Lord Balcarras.
Lord Harrington.

A fair judgment upon recent events is hardly to be expected, especially while many prejudices are alive. It will be allowed me to assume, what no one has ever ventured to deny, that there may be a combination of circumstances under which an army may be justified in

Reflections
upon the
convention.

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treating with an enemy. That the army under my command was under such circumstances at Saratoga is also generally acknowledged : but what is not denied to me from my own situation, is attempted to be withheld, by some, on account of the quality of the enemy. They suggest that there should be no treaty with rebels. It is unnecessary in answer to have recourse to history. I will not take defence from treaties between Spain, the haughtiest power of the world, and the arch-rebel the great Prince of Orange ; nor between Charles the First and the arch-rebels the English Parliament (for such in both instances they were called) I need only refer to the examples existing at that time in America, and since much improved on at home. My superior officer in America, with the approbation of government, had treated upon different occasions with General Washington. The British government in its highest collective authority, the King in Parliament, has since commissioned five members of that Parliament, the one a peer, the others of eminent station in military and civil capacities, to *treat with* rebels, I had almost said to *sue* to rebels for peace, by the surrender of almost every principle for the maintenance of which they had prosecuted the war.

Thus highly justified in treating with rebels, I am at a loss to discover by what possible mode of defence I could have acquitted myself to God or my country, when the brave and intelligent officers of my army unanimously resolved, upon military principle, precedent and reason, that the treaty was expedient, and the terms honourable, if I had delivered them up to certain destruction, or even to be prisoners at discretion.

If the informed and dispassionate part of mankind should agree in sentiment with the unanimous voice of the army, upon the convention of Saratoga, surely to impute to it the final loss of the army is too palpable an injustice long to remain upon the minds of the most prejudiced. The convention expressly preserved the army for the service of the state. According to that convention

tion a truce was made during the war, between that army and the enemy, in America, and it now might have been acting against the House of Bourbon in any other part of the world. The army was lost by the non-compliance with the treaty on the part of the Congress; and that violation of faith no man will ever be found to justify.

I will not decide how far it was encouraged in America, by the persuasion that the ministry of Britain had neither power nor spirit to redress the wrong; and that they had sunk the nation so low, in point of respect, that the world would overlook, where she was concerned, an action that would have excited, in any other case, universal censure and indignation. But whatever motives the Congress may have had, the tameness and silence with which the British ministers have borne this outrage, is astonishing. That men so constant and so prodigal in their anger against the Congress, as never before to have failed in expressing it, even in cases where it bordered upon being ridiculous, should on a sudden become cold and mute, and dead to feeling, in a case where resentment was justly founded, can hardly be accounted for, except upon the principle that it was better to suppress the justest censure upon a power they detested, than that even a particle of unmerited odium should be wanting to load the man whom they were resolved to depress.

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I AM not aware that in the preceding Review of Evidence I have neglected any part essential to my defence. I do not reckon as such, that part which applies to the management of the public purse. The calumny designed to wound me upon that head was too gross to succeed: it perished in its birth, and scorn is the only sentiment excited by the remembrance of its momentary existence. In regard to the more plausible objections pointed against my conduct, I have not only endeavoured to meet them in the cross-examination, but have searched for them in every place where I could suppose them to originate or be entertained. If some have escaped, I shall stand excused, when it is recollected how they have grown and changed from one shape to another, and that it has never been my fortune to be confronted with an avowed and regular accuser—I despair of ever being so: but I desire it to be understood, that although I am earnest in this mode of defence, I am so far from declining another, that I shall think it one very happy circumstance of the past enquiry, if any thing contained in it should have effect hereafter to produce an enquiry by court-martial.

It would not be an ungrateful task to follow the defence of the campaign with a detail of the occurrences which happened between the time of signing the convention and my leaving America. Many of them would be found curious; and the cares and perplexities in which I bore a principal and most painful part, would create a new interest in the minds of my friends: but I do not think myself at liberty, upon the plan I laid down at my

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my outset, to enter into matter where no blame is imputed or implied. If my proceedings during that interval deserve any credit, I am content with that testimony of it, which I may assume from the silence of my enemies.

I have not the same reasons for passing over the transactions in which I have been engaged since my return to England, because blame, and of a very atrocious nature, *has* been imputed to me. But as the principal of these transactions are already before the public, I shall mention them very briefly; and merely to introduce connectedly such further thoughts upon them as could not with propriety be stated upon any former occasion.

Immediately after my arrival, a board of general officers was appointed to enquire into the causes of the failure of the expedition from Canada. This enquiry was made the foundation of an order against my appearing at court.

The board reported, that they could not take cognizance of me being under parole—the prohibition from the King's presence nevertheless still remained in force.

I had recourse to parliament for enquiry; and openly, and repeatedly, and strenuously called upon the ministers to join issue with me before that tribunal. Objection was taken against immediate enquiry, because Generals Sir Guy Carleton and Sir William Howe who might be parties were absent; but it was evidently the disposition of the house, that an enquiry should be instituted the ensuing session.

I pledged myself zealously to prosecute that measure; I accused ministers of injurious treatment towards myself; and it became my duty, upon occasions with which my own affairs had no connection, to express deeper resentments of their conduct towards the public.

In this state of things parliament was prorogued on the 3^d of June. On the 5th of June, I received the first order to repair to Boston as soon as I had tried the Bath waters. The order and my answer, representing the

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hardship of being sent back unheard, and the second conditional order, with entire slight of my representations, are too well known to require repetition: but there are two circumstances attending the dates of these orders with which I was not acquainted till long after, and which have never yet been taken notice of.

The one is, that at the very time I was told that my presence was *material*, and (as the second letter from the secretary at war expressed) of *so much importance to the troops detained prisoners in New England*, that it must not be dispensed with—at that very time, it was determined to ratify the convention, according to the requisition of the Congress; and to transmit the ratification through other hands, and without any participation with me, or employment of me, in carrying it to a conclusion. It was very possible, the troops might have been sailed for England before I had reached America, had I even complied as early as the condition of either order could possibly be construed to prescribe. But at all events, the circumstance could not but serve to mark to me the true intent and meaning of the order beyond a possibility of mistake—that it was an order of vindictive punishment; and my presence with the troops, if I reached America in time, was *material and important* to mark to them the degree of disgrace to which I was reduced. The terms are a mockery, and an insult upon common sense, if applied, in the situation in which I was placed, to the service of the King, or the consolation of the troops. Such a display of vengeance might indeed be intended to apply to their prudence, and to act as a caution and warning how at their return they should support a General under the extremity of the King's displeasure*.

The

* In times when the maintenance of the constitution in its purity is the ruling principle of an administration, the King's name is introduced by office only to denote an act of the executive part of the state. In times when an administration mean to rule by the influence of monarchy, the language of office is to connect the royal person

with

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The other circumstance attending these dates is not less remarkable, viz.

The determination of changing the nature of the war, as afterwards declared by the commissioners in America, must have been taken at this time.

I am very much disinclined to believe, that the consideration of my person as a proper victim upon that occasion was ever regularly and formally debated in the cabinet; but I cannot think it uncharitable to the individual adviser of the Crown, whoever he was, who could project such an order, to suppose, that if upon the first exercise of *the extremes of war* on the one side, and in the ardour of retaliation on the other, it had so happened, that an object so well to be spared as an obnoxious and disgraced Lieutenant General, had opportunely presented itself to the enemy's rigour, and had been detained in their prisons, the order for the voyage would not have been thought, by that individual, quite thrown away. Detention, with or without the troops, of a troublesome and bold complainant, could not be immaterial or unimportant to such a person, and the order was of an import

“ —To make assurance double sure—

“ And take a bond of fate—

“ That he might tell pale-hearted Fear it lied.

The living presence of an injured man is, perhaps, more offensive and insupportable to the sight of a mean injurer, than the spectre of him would be after death.

But to return to the facts I was recapitulating.

I remained under the conditional order in England.

The ensuing session, the parliamentary enquiry now laid before the public took place. It ended, as has been stated, in July, 1779.

with the act, and to give him attributes of passion and displeasure, from which in his political character he is held exempt. I disclaim language and ideas so unconstitutional and disrespectful, and never mean to allude to my Sovereign personally, but in acts of justice and mercy.

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In September, I received a severe reprimand, a denial of a court-martial, and a prohibition of serving my country in its exigence, though other officers precisely in my situation were employed—I resigned.

The blame laid upon me for the part I took in these transactions is, that intemperately and factiously I engaged in opposition; that I was guilty of disobedience to the King's orders; and it has been added in a late publication, that even my defence of my conduct is a libel upon the King's government.

I think I have perceived, that the first part of these charges, a rash engagement in opposition, is not combated by some who wish me well so strenuously as other imputations have been. It may possibly have appeared to friendly and prudential observers, as a palliating plea for a restitution to favour upon some future occasion, to have to say, that I had acted upon the sudden impulse of passion; and the sequel might be, that I had repented, and would offend no more.

Without doubting the kindness which suggests these excuses, I have been impelled by principles too forcible, and have taken my part too decidedly, to look for a resource in those or any other subterfuges. It would be inconsistent and dishonourable in me to withhold a public declaration upon this occasion, in addition to those I have made upon others, that I engaged in resistance to the measures of the court upon mature reflection; that after collecting in my mind all the lights upon men and things which my experience and observation could furnish, I believed that the constitution of England was betrayed: and neither blaming or suspecting any men who conceived different opinions, and acted upon them, I thought it a point of time in which a man believing as I did was called upon to sacrifice to his country. The test of this motive, it is true, must rest between God and my conscience: but let it not be supposed that I acted blindly—the path of interest, a broad and beaten track, lay clearly before me from the time I arrived in England. Supple joints, and an attentive eye, always giving

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giving way to power, on one side, and sometimes pushing my friends into the dirt on the other, would have carried me safely through. I even believe, that the adviser of the letters I lately alluded to would rather have seen me in that track, than in the other which he prescribed for me across the Atlantic.

As little would I be supposed to want discernment of the path I took : for the barefaced preferences, rewards and punishments held forth for parliamentary conduct, were among the most glaring parts of the system I had contemplated. And it was impossible to doubt, that as a delinquent *there*, I should be pressed both by art and vengeance to the end the enemies I had provoked foresaw—the loss of my profession and the impoverishment of my fortune. I trust it will be an innocent revenge on my part, to shew them I can bear my condition firmly; and that I am incapable of redeeming what I have lost, were it ever in my option, by the disavowal of a single principle I have professed.

I come now to the second charge, disobedience of orders; and in a point that so nearly touches the very essence of military character, I trust I shall not trespass upon the patience of the reader, if I treat it a little more at large than I have done in my correspondence with the secretary at war.

I admit that subordination and implicit obedience, as applied to the operation of arms, are primary principles in the military system. An army is a mere name without them. The officer who hesitates to meet certain death upon command, deserves to receive it from the hand of the executioner.

But there are possible exceptions to these general principles, especially out of the field, in the most absolute services; and in the British service they are known and marked, and co-existent with the military establishment itself, in the mutiny act, which confines obedience to legal commands. An army must again be garbled like the army of Cromwell (which God avert!) before an
order

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order could be executed, like that of Cromwell, for garbling the parliament.

A high spirit will contract the limits of obedience still more; with illegal, he will reject dishonourable commands; and he will follow the reasoning I have already premised, and state it as a maxim thus; *he who obeys at the expence of fortune, comfort, health and life, is a soldier; he who obeys at the expence of honour is a slave.*

But I may be asked by some disciplinarians, who is to be the judge in these nice definitions of obedience? It is uncommon military doctrine, I may be told, to reason upon the King's orders—I confess it is so. Since the reign of James the Second, in the British service it never has been necessary. We have been used in this age, to see the King's name give wings and inspiration to duty. Discipline, in this country, has been raised upon personal honour—a firmer basis than fear or servility ever furnished: and the minister who first shakes that happy confidence; who turns military command to political craft; who dares to use his gracious Sovereign's name as an engine of state, to glut his own anger, or to remove his own fears, he is amongst the worst enemies to that Sovereign. But should his purposes go further (a consideration of far greater magnitude to the public) and should it be seen that the royal name was brought forth for the *discipline* of parliament, the minister so using it would be not only an enemy to his Sovereign, but a traitor to the constitution of the state.

I will close the defence of my principles respecting military subordination by reference to an anecdote well authenticated and not very remote.

An officer in a neighbouring nation, for some error he had committed in a day of battle, received a blow from his prince who commanded in person. The officer drew a pistol, and his first movement was to point it at his master; but the next (and it was instantaneous) was to turn the muzzle, and discharge the ball into his own heart. Though my case differs both in the
provo-

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provocation and the consequence, in many circumstances my conduct may justly be supported upon the same principle. I receive an affront that a liberal spirit cannot endure; and in a name, against which no personal resentment can be pursued, nor indeed entertained: but a suicide of my professional existence (if I may be allowed the phrase) is preferable to the state in which the affront placed me. In one instance only I renounce the parallel.—God forbid I should be thought, even in a burst of passion, to have pointed at my Sovereign! It was not from his hand I received the blow.

I shall solicit the reader's attention very little further: but I feel the necessity of repeating my application to the candour of the public, both as a writer and an appellant. Defence, and imputation of blame to others, are naturally interwoven in my cause: it required a more distinct conception, and an abler hand than mine, to keep them always apart, and open to separate view. In some parts my defence may be weakened by this deficiency of skill; but I have no right to offer the same excuse for suffering any blame to rest upon others beyond what I thought myself justified to support.

Upon this principle, I think it just, at taking leave of the secretary of state for the American department, briefly to enumerate the only facts and propositions respecting the plan of the expedition from Canada, that I think clearly maintainable against him.

First fact. It is clear that the plan of a junction of the greater part of the forces in Canada with the army of Sir William Howe, was formed in the year 1776, when Sir William Howe was in full success; when his whole force was in the neighbourhood of New York, or in the Jerseys, and Mr. Washington was beaten, and at the weakest.

Second fact. This plan of a junction was continued (and upon just reasoning) in the close of the year 1776, when Sir William Howe's first proposal of operations for the ensuing campaign arrived. Those proposals were made upon the datum of a number of troops, sufficient

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ent to furnish, besides the main army, an *offensive* army of 10,000 men, rank and file, to act on the side of Rhode Island, by taking possession of Providence, and penetrating from thence into the country towards Boston; and another *offensive* army, not less than 10,000, to move up the North River to Albany, exclusive of 5000 for the defence of New York.

In either of the above cases, the plan of junction could hardly have failed of success.

Third fact. On the 23d of February, Sir William Howe's alteration of the first plan was received, and he then proposed to act with the greater part of his force on the side of Philadelphia, at the opening of the campaign, and to enable him so to do, to defer the *offensive plan from Rhode Island till the reinforcements should arrive*, and to destine only 3000 men to act *defensively* upon the lower part of the Hudson's River.

Fourth fact. On the 3d of March, the secretary of state signified his Majesty's entire approbation of this deviation from the plan first suggested.

From these facts arises my first proposition, that at the time the change of plan for Sir William Howe's operations was adopted, by which no offensive force was to remain upon the Hudson's River, nor a diversion probably to take place from Rhode Island, the plan of my operations, the success of which would probably depend in a great degree upon co-operation and diversion, ought to have been changed likewise: instead of that, it was enforced and made positive by the refusal of the latitude I had proposed of acting upon the Connecticut, or, in case of exigency, embarking the troops and effecting the junction by sea.

Fifth fact. On the 19th of March, a letter from Sir William Howe, by the secretary of state, acquainting him, that a brigade of British and some companies of grenadiers and light infantry had been withdrawn from Rhode Island, which made the force left there merely defensive. The same letter mentions the prospects the enemy had of bringing 50,000 men into the field.

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Sixth fact. I did not leave England till the beginning of April, by which time the secretary of state must have known, or ought to have known, that no dependance could be placed upon reinforcements from England arriving at New York in time for Sir William Howe to resume the intention he had deferred, viz. a diversion from Rhode Island, or of making the force upon Hudson's River adequate to offensive operation.

Hence arises my second proposition, that the latitude I had proposed, or other expedients of precaution, ought then at least to have been adopted: instead of which, I was suffered to sail, ignorant of Sir William Howe's plans, and ignorant of the defalcation or the delays in the reinforcements destined for him. The consequence was, that neither his letter to Sir Guy Carleton, put into my hands after my arrival in Canada, nor his letter to me of the 17th of June, informing me of his destination for Pennsylvania, removed my expectation of co-operation, because I was to suppose, that subsequent to the dates of either of those letters, he would receive orders from the secretary of state respecting the junction, and also a timely reinforcement.

Seventh fact. The secretary of state makes no mention of the northern expedition in any of his dispatches to Sir William Howe at the end of March, when my orders were fixed, nor in the month of April. And it is a further fact, that I am persuaded will not be contested, that he did not mention any orders or recommendations relative to co-operation verbally to Sir William Howe's aid-de-camp, or any other confidential person who failed about that time.

The first mention made of the necessity of co-operation was in the secretary of state's letter of the 18th of May, wherein his Lordship "*Trusts that whatever be [Sir William Howe] may meditate, it will be executed in time to co-operate with the army ordered to proceed from Canada.*"

The proposition clearly justified by these facts is, that if the secretary of state had thought proper to signify
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the King's expectation of a co-operation to be made in my favour in the month of March or beginning of April, as in consistency he ought to have done, it would have arrived before Sir William Howe embarked his army, and in time for him to have made a new disposition : but instead of that, this very material injunction was not dispatched till it was almost physically impossible it should have any effect. And so indeed it happened, for Sir William Howe received it on the 16th of August, at a distance from Hudson's River too great for any detachment from his own army to be made in time, could it even have been spared ; and the reinforcement from England, upon which Sir William Howe depended to strengthen Sir Henry Clinton, was much later still—too late (as it has been shewn) to enable that general with all his activity and zeal to give any effectual support.

Indeed the conduct of the secretary of state, in inserting this paragraph, in his letter of the 18th of May, when it could not avail, after omitting it when certainly it would have been timely, seems so preposterous, that it can only be explained by one fact. It transpired about that time, that Sir William Howe's army was destined for Pennsylvania, and people who had considered the force of the enemy to be collected from the northern provinces began to be alarmed for my army. It is well known (though I cannot ascertain the date) that an officer of very great ability, and a perfect knowledge in the country through which I was to pass, as soon as he heard that no disposition was made for a support from New York, foretold to the secretary of state, or his near friends, the fall of my army. Under this apprehension it might appear to the secretary of state a proper caution, that an expectation of co-operation should exist under his hand.

If plans so inconsistently formed, and managed by the secretary of state with so much seeming confidence, as to mislead his generals, and so much real reserve as to destroy them, should be defended by that infatuated belief

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lief then entertained of the inability of the enemy to resist, I should beg leave to state, as one proposition more, that after the experience of their actions at Trenton, and many other places, and the intelligence of their new levies received from Sir William Howe, such confidence was an additional fault, and perhaps a more pernicious one than any I have stated.

Thus much for the noble Lord in his public capacity. What share of the persecution I have sustained (more than I have directly expressed in different parts of my defence) are imputable to his private councils, is not within my knowledge: but if in speaking of my persecutors in general, I may be thought sometimes to have used strong terms, I have only to say, that having advanced no fact which I am not able and resolved to maintain, I have not felt myself called upon, in applying those facts for any further attention, than to preserve the language of a gentleman, which is an attention due to myself as well as to the public. It is open and manly enmity alone that unites respect with resentment.

I wish I could as easily apologise for all the other faults with which this undertaking abounds as a composition. At a time when so many pens are employed, I must not expect to be spared. I shall treat with silent respect any comments that are fairly founded and delivered with liberality; and with contempt, equally silent, the common invectives of the political press. This appeal is not to rest upon literary criticism, or party disputation, but upon the broad equity of my country. I know that prejudice and malice will vanish before the man who dares to submit his actions to that test—If acquitted *there*, I feel I am not degraded; and I have not a sensation within my breast which does not at the same time assure me, I cannot be unhappy.

J. BURGoyNE.

A P P E N D I X.

*Copy of a Letter from Lieutenant-General Burgoyne to No. I.
Lord George Germain, dated Hertford-Street, 1st
January, 1777.*

MY LORD,

MY physician has pressed me to go to Bath for a short time, and I find it requisite to my health and spirits to follow his advice; but I think it a previous duty to assure your Lordship, that, should my attendance in town become necessary, relatively to information upon the affairs of Canada, I shall be ready to obey your summons upon one day's notice.

Your Lordship being out of town, I submitted the above intentions, a few days ago, personally to his Majesty in his closet; and I added, "That, as the arrangements for the next campaign might possibly come under his royal contemplation before my return, I humbly laid myself at his Majesty's feet for such active employment as he might think me worthy of."

This was the substance of my audience on my part. I undertook it, and I now report it to your Lordship, in the hope of your patronage in this pursuit; a hope, my Lord, founded not only upon a just sense of the honour your Lordship's friendship must reflect upon me, but also upon a feeling that I deserve it, in as much as a solid respect and sincere personal attachment can constitute such a claim.

I leave in the hands of Mr. D'Oyley such of the memorandums confided to me by General Carleton as require dispatch, should your Lordship think proper to carry them into execution.

I also

I also leave in that gentleman's hands the copy of an application relative to boats for the artillery, and which I take the liberty to submit to your Lordship as well worthy of consideration, upon the supposition that the enemy should arm upon Lake George, and that any operation should be adviseable by that route.

I likewise leave the disposition of winter quarters, which I received by the last ship from Canada. I find no dispatch is come to your Lordship by that occasion, and I conceived those papers might be of use.

I have the honour to be,

My Lord, &c.

J. BURGOYNE.

No. II.

Extract of a Letter from Lord George Germain to Sir Guy Carleton, dated Whitehall, 22d August, 1776.

THE rapid success of his Majesty's arms, in driving the rebels out of Canada, does great honour to your conduct; and I hope soon to hear that you have been able to pursue them across the lakes, and to possess those posts upon the frontiers which may effectually secure your province from any future insult.

His Majesty, in appointing you commander in chief of his forces in Canada, was pleased to extend your commission to the frontiers of his provinces bordering thereupon, wisely foreseeing that it might be necessary for the completing your plan of operations that you should march your army beyond the limits of your own government. I trust, before this letter reaches you, that you will, by your spirit and activity, have cleared the frontiers of Canada of all the rebel forces, and will have taken the proper measures for keeping possession of the lakes. That service being performed, his Majesty commands me to acquaint you, that there still remains another part of your duty to be undertaken,

taken, which will require all your abilities and the strictest application, the restoring peace and the establishing good order and legal government in Canada. It is an object of the greatest importance to this country; the difficulties attending it are immense; but his Majesty depends upon your zeal, and upon your experience, for carrying it into execution. His Majesty, ever anxious for the happiness of his subjects, commands me to inform you, that no time should be lost in beginning so important a work, and that you do therefore return to Quebec, detaching Lieutenant-General Burgoyne, or such other officer as you shall think most proper, with that part of your forces which can be spared from the immediate defence of your province, to carry on such operations as shall be most conducive to the success of the army acting on the side of New-York; and that you direct the officer so detached to communicate with, and put himself as soon as possible under the command of, General Howe: you will order such artillery as you shall judge necessary to proceed with this detachment; and, as a great quantity of heavy cannon and military stores were sent, upon the supposition that Quebec might have been in the hands of the rebels, you will, upon requisition from General Howe, supply him with such cannon and stores as may not be wanted for the protection of Canada.

Thoughts for conducting the War from the Side of Canada. No. III.

By Lieutenant-General Burgoyne.

WHEN the last ships came from Quebec, a report prevailed in Canada, said to have been founded upon positive evidence, that the rebels had laid the keels of several large vessels at Skeneborough and Ticonderoga, and had resolved to exert their utmost

powers to construct a new and formidable fleet during the winter.

I will not, however, give credit to their exertions in such a degree as to imagine the King's troops will be prevented passing Lake Champlain early in the summer, but will suppose the operations of the army to begin from Crown-Point.

But as the present means to form effectual plans is to lay down every possible difficulty, I will suppose the enemy in great force at Ticonderoga: the different works there are capable of admitting twelve thousand men.

I will suppose him also to occupy Lake George with a considerable naval strength, in order to secure his retreat, and afterwards to retard the campaign; and it is natural to expect that he will take measures to block up the roads from Ticonderoga to Albany by the way of Skenesborough, by fortifying the strong ground at different places, and thereby obliging the King's army to carry a weight of artillery with it; and, by felling trees, breaking bridges, and other obvious impediments, to delay, though he should not have power or spirit finally to resist, its progress.

The enemy thus disposed upon the side of Canada, it is to be considered what troops will be necessary, and what disposition of them will be most proper to prosecute the campaign with vigour and effect.

I humbly conceive the operating army (I mean exclusively of the troops left for the security of Canada) ought not to consist of less than eight thousand regulars, rank and file. The artillery required in the memorandums of General Carleton, a corps of watermen, two thousand Canadians, including hatchet-men and other workmen, and one thousand or more savages.

It is to be hoped that the reinforcement and the victualling ships may all be ready to sail from the Chappel and from Corke on the last day of March.

I am

A P P E N D I X.

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I am persuaded, that to sail with a fleet of transports earlier, is to subject government to loss and disappointment. It may reasonably be expected that they will reach Quebec before the 20th of May; a period in full time for opening the campaign. The roads, and the rivers and lakes, by the melting and running off of the snows, are in common years impracticable sooner.

But as the weather, long before that time, will probably have admitted of labour in the docks, I will take for granted that the fleet of last year, as well bateaux as armed vessels, will be found repaired, augmented, and fit for immediate service. The magazines that remain of provision (I believe them not to be abundant) will probably be formed at Montreal, Sorel, and Chamblée.

I conceive the first business for those entrusted with the chief powers, should be to select and post the troops destined to remain in Canada; to throw up the military stores and provision with all possible dispatch, in which service the above-mentioned troops, if properly posted, will greatly assist; and to draw the army, destined for operation, to cantonments, within as few days march of St. John's as conveniently may be. I should prefer cantonments at that season of the year to encampment, as the ground is very damp, and consequently very pernicious to the men, and more especially as they will have been for many months before used to lodgings, heated with stoves, or between decks in ships: all these operations may be put in motion together, but they severally require some observation.

I should wish that the troops left in Canada, supposing the number mentioned in my former memorandum to be approved, might be made as follows:

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The

The 31st regiment, British, exclusive of their light company of grenadiers, — — — — —	448
Maclean's corps, — — — — —	300
The 29th regiment, — — — — —	448
The ten additional companies from Great- Britain, — — — — —	560
Brunswic and Hesse Hanau to be taken by de- tachments or complete corps, as Major- General Reidesel shall recommend, leaving the grenadiers, light-infantry, and dragoons, complete, — — — — —	650
Detachments from the other British brigades, leaving the grenadiers and light infantry complete, and squaring the battalions e- qually, — — — — —	600
	3006

My reason for selecting the 31st regiment for this duty is, that when I saw it last it was not equally in order with the other regiments for services of activity. I propose the 29th regiment, as it is not at present brigaded.

I propose Maclean's corps, because I very much apprehend desertion from such parts of it as are composed of Americans, should they come near the enemy.

In Canada, whatsoever may be their disposition, it is not so easy to effect it.

And I propose making up the residue by detachment, because, by selecting the men least calculated for fatigue or least accustomed to it, which may be equally good soldiers in more confined movements and better-provided situations, the effective strength for operation is much greater and the defensive strength not impaired.

I must beg leave to state the expeditious conveyance of provision and stores from Quebec and the several other

other depositaries, in order to form ample magazines at Crown-Point, as one of the most important operations of the campaign, because it is upon that which most of the rest will depend. If sailing-vessels up the St. Lawrence are alone to be employed, the accident of contrary winds may delay them two months before they pass the Rapids of Richelieu, and afterwards St. Peter's-Lake; delays to that extent are not uncommon, and they are only to be obviated by having a quantity of small craft in readiness to work with oars. From the mouth of the Sorel to Chamblée, rowing and tacking is a sure conveyance if sufficient hands are found. From Chamblée to St. Therese (which is just above the Rapids) land-carriage must be used, and great authority will be requisite to supply the quantity necessary.

A business thus complicated in arrangement, in some parts unusual in practice, and in others perhaps difficult, can only be carried to the desired effect by the peremptory powers, warm zeal, and consonant opinion, of the governor; and, though the former are not to be doubted, a failure, in the latter, vindicated, or seeming to be vindicated, by the plausible obstructions that will not fail to be suggested by others, will be sufficient to crush such exertions as an officer of a sanguine temper, entrusted with the future conduct of the campaign, and whose personal interest and fame therefore consequentially depend upon a timely out-set, would be led to make.

The assembly of the savages and the Canadians will also entirely depend upon the governor.

Under these considerations, it is presumed, that the general officer, employed to proceed with the army, will be holden to be out of the reach of any possible blame till he is clear of the province of Canada, and furnished with the proposed supplies.

The navigation of Lake Champlain, secured by the superiority of our naval force, and the arrangements for forming proper magazines so established as to make the execution certain, I would not lose a day to take possession of Crown-Point with Brigadier Fraser's corps, a large body of savages, a body of Canadians, both for scouts and works, and the best of our engineers and artificers well supplied with intrenching tools.

The brigade would be sufficient to prevent insult during the time necessary for collecting the stores, forming magazines, and fortifying the posts; all which should be done, to a certain degree, previous to proceeding in force to Ticonderoga; to such a degree I mean as may be supposed to be effected in time of transporting artillery, preparing fascines, and other necessaries for artillery operations; and, by keeping the rest of the army back during that period, the transport of provisions will be lessened, and the soldiers made of use in forwarding the convoys.

But though there would be only one brigade at Crown-Point at that time, it does not follow that the enemy should remain in a state of tranquillity. Corps of savages, supported by detachments of light regulars, should be continually on foot to keep them in alarm, and within their works, to cover the reconnoitering of general officers and engineers; and to obtain the best intelligence of their strength, position, and design.

If due exertion is made in the preparations stated above, it may be hoped that Ticonderoga will be reduced early in the summer, and it will then become a more proper place for arms than Crown-Point.

The next measure must depend upon those taken by the enemy, and upon the general plan of the campaign as concerted at home. If it be determined that General Howe's whole forces should act upon Hudson's River, and to the southward of it, and that the only
object

object of the Canada army be to effect a junction with that force, the immediate possession of Lake George would be of great consequence, as the most expeditious and most commodious route to Albany; and, should the enemy be in force upon that lake, which is very probable, every effort should be tried, by throwing savages and light troops round it, to oblige them to quit it without waiting for naval preparations. Should those efforts fail; the route by South-Bay and Skenesborough might be attempted; but considerable difficulties may be expected, as the narrow parts of the river may be easily choked up and rendered impassible; and, at best, there will be necessity for a great deal of land-carriage for the artillery, provision, &c. which can only be supplied from Canada. In case of success also by that route, and the enemy not removed from Lake George, it will be necessary to leave a chain of posts, as the army proceeds, for the securities of your communication, which may too much weaken so small an army.

Left all these attempts should unavoidably fail, and it become indispensably necessary to attack the enemy by water upon Lake George, the army, at the outset, should be provided with carriages, implements, and artificers, for conveying armed vessels from Ticonderoga to the lake.

These ideas are formed upon the supposition that it be the sole purpose of the Canada army to effect a junction with General Howe; or, after co-operating so far as to get possession of Albany and open the communication to New-York, to remain upon the Hudson's-River, and thereby enable that general to act with his whole force to the southward.

But, should the strength of the main American army be such as to admit of the corps of troops now at Rhode-Island remaining there during the winter, and acting separately in the spring, it may be highly worthy

thy consideration, whether the most important purpose to which the Canada army could be employed, supposing it in possession of Ticonderoga, would not be to gain the Connecticut River.

The extent of country from Ticonderoga to the inhabited country upon that river, opposite to Charles-Town, is about sixty miles; and, though to convey artillery and provision so far by land would be attended with difficulties, perhaps more than those above suggested upon a progress to Skenesborough, should the object appear worthy, it is to be hoped resources might be found; in that case, it would be advisable to fortify, with one or two strong redoubts, the heights opposite to Charles-Town, and establish posts of savages upon the passage from Ticonderoga to those heights, to preserve the communication, and at the same time prevent any attempt from the country above Charles-Town, which is very populous, from molesting the rear or interrupting the convoys of supply, while the army proceeded down the Connecticut. Should the junction between the Canada and Rhode-Island armies be effected upon the Connecticut, it is not too sanguine an expectation that all the New-England provinces will be reduced by their operations.

To avoid breaking in upon other matter, I omitted in the beginning of these papers to state the idea of an expedition at the out-set of the campaign, by the Lake Ontario and Oswego, to the Mohawk-River; which, as a diversion to facilitate every proposed operation, would be highly desirable, provided the army should be reinforced sufficiently to afford it.

It may at first appear, from a view of the present strength of the army, that it may bear the sort of detachment proposed by myself last year for this purpose; but it is to be considered that at that time the utmost object of the campaign, from the advanced season and unavoidable delay of preparation for the lakes, being the

the reduction of Crown-Point and Ticonderoga, unless the success of my expedition had opened the road to Albany, no greater numbers were necessary than for these first operations. The case in the present year differs; because the season of the year affords a prospect of very extensive operation, and consequently the establishment of many posts, patrols, &c. will become necessary. The army ought to be in a state of numbers to bear those drains, and still remain sufficient to attack any thing that probably can be opposed to it.

Nor, to argue from probability, is so much force necessary for this diversion this year as was required for the last; because we then knew that General Schuyler, with a thousand men, was fortified upon the Mohawk. When the different situations of things are considered, viz. the progress of General Howe, the early invasion from Canada, the threatening of the Connecticut from Rhode-Island, &c. it is not to be imagined that any detachment of such force as that of Schuyler can be supplied by the enemy for the Mohawk. I would not therefore propose it of more (and I have great diffidence whether so much can be prudently afforded) than Sir John Johnson's corps, a hundred British from the second brigade, and a hundred more from the 8th regiment, with four pieces of the lightest artillery, and a body of savages; Sir John Johnson to be with a detachment in person, and an able field-officer to command it. I should wish Lieutenant-Colonel St. Leger for that employment.

I particularise the second brigade, because the first is proposed to be diminished by the 31st regiment remaining in Canada, and the rest of the regiment, drafted for the expedition, being made also part of the Canada force, the two brigades will be exactly squared.

Should it appear, upon examination of the really effective numbers of the Canada army, that the force is not sufficient for proceeding upon the above ideas with

a fair prospect of success, the alternative remains of embarking the army at Quebec, in order to effect a junction with General Howe by sea, or to be employed separately to co-operate with the main designs, by such means as should be within their strength upon other parts of the continent. And though the army, upon examination of the numbers from the returns here, and the reinforcements designed, should appear adequate, it is humbly submitted, as a security against the possibility of its remaining inactive, whether it might not be expedient to entrust the latitude of embarking the army by sea to the commander in chief, provided any accidents during the winter, and unknown here, should have diminished the numbers considerably; or that the enemy, from any winter success to the southward, should have been able to draw such forces towards the frontiers of Canada, and take up their ground with such precaution, as to render the intended measure impracticable or too hazardous. But, in that case, it must be considered that more force would be required to be left behind, for the security of Canada, than is supposed to be necessary when an army is beyond the lakes; and I do not conceive any expedition from the sea can be so formidable to the enemy, or so effectual to close the war, as an invasion from Canada by Ticonderoga. This last measure ought not to be thought of, but upon positive conviction of its necessity.

Hertford-Street,
Feb. 28th, 1777.

J. BURGONYNE.

No. IV. *Extract of a Letter from Lord George Germain to General Carleton, dated Whitehall, 26th March, 1777.*

MY letter of the 22d August, 1776, was intrusted to the care of Captain Le Maitre, one of your aid-de-camps; after having been three times in the Gulph of St. Lawrence he had the mortification to find it impossible

possible to make his passage to Quebec, and therefore returned to England with my dispatch, which, though it was prevented by that accident from reaching your hands in due time, I nevertheless think proper to transmit to you by this earliest opportunity.

You will be informed, by the contents thereof, that, as soon as you should have driven the rebel forces from the frontiers of Canada, it was his Majesty's pleasure you should return to Quebec, and take with you such part of your army as in your judgement and discretion appeared sufficient for the defence of the province, that you should detach Lieutenant-General Burgoyne, or such other officer as you should think most proper, with the remainder of the troops, and direct the officer so detached to proceed with all possible expedition to join General Howe, and to put himself under his command.

With a view of quelling the rebellion as soon as possible, it is become highly necessary that the most speedy junction of the two armies should be effected; and therefore, as the security and good government of Canada absolutely require your presence there, it is the King's determination to leave about 3000 men under your command, for the defence and duties of that province, and to employ the remainder of your army upon two expeditions, the one under the command of Lieutenant-General Burgoyne, who is to force his way to Albany; and the other under the command of Lieutenant-Colonel St. Leger, who is to make a diversion on the Mohawk-River.

As this plan cannot be advantageously executed without the assistance of Canadians and Indians, his Majesty strongly recommends it to your care, to furnish both expeditions with good and sufficient bodies of those men; and I am happy in knowing that your influence among them is so great, that there can be no

room to apprehend you will find it difficult to fulfil his Majesty's expectations.

In order that no time may be lost in entering upon these important undertakings, General Burgoyne has received orders to sail forthwith for Quebec; and that the intended operations may be maturely considered, and afterwards carried on in such a manner as is most likely to be followed by success, he is directed to consult with you upon the subject, and to form and adjust the plan as you both shall think most conducive to his Majesty's service.

I am also to acquaint you, that, as soon as you shall have fully regulated every thing relative to these expeditions, (and the King relies upon your zeal, that you will be as expeditious as the nature of the business will admit,) it is his Majesty's pleasure that you detain, for the Canada service,

The 8th regiment, deducting 100 for the expedition to the Mohawk,	—	—	460
Battalion companies of the 29th and 31st regiments,	—	—	896
Battalion companies of the 34th, deducting 100 for the expedition to the Mohawk,	—	—	348
Eleven additional companies from Great-Britain,	—	—	616
Detachments from the two brigades,	—	—	200
Detachments from the German troops,	—	—	650
Royal Highland emigrants,	—	—	500
			3770

You will naturally conclude that this allotment for Canada has not been made without properly weighing the several duties which are likely to be required. His Majesty has not only considered the several garrisons and posts which probably it may be necessary for you to take, viz. Quebec, Chaudiere, the disaffected parishes of Point Levi, Montreal, and posts between that town

town and Ofwegatche, Trois Rivieres, St. John's, Sele aux Noix, La Prairie, Vergere, and some other towns upon the south shore of St. Lawrence, opposite the ifle of Montreal, with posts of communication to St. John's, but he hath also reflected that the several operations, which will be carrying on in different parts of America, must necessarily confine the attention of the rebels to the respective scenes of action, and secure Canada from external attacks; and that the internal quiet which at present prevails is not likely to be interrupted, or, if interrupted, will soon be restored by your influence over the inhabitants; he therefore trusts that 3000 men will be quite sufficient to answer every possible demand.

It is likewise his Majesty's pleasure that you put under the command of Lieutenant-General Burgoyne,

The grenadiers and light infantry of the army (except of the 8th regiment and the 24th regiment) as the advanced corps, under the command of Brigadier-General Fraser, — 1562

First brigade, battalion companies of the 9th, 21st, and 47th, regiments, deducting a detachment of 50 from each corps, to remain in Canada, — 1194

Second brigade, battalion companies of the 20th, 53d, and 62d, regiments, deducting 50 from each corps, to remain as above, — 1194

All the German troops, except the Hanau chaffeurs, and a detachment of 650, — 3217

The artillery, except such parts as shall be necessary for the defence of Canada. — 7173

Together with as many Canadians and Indians as may be thought necessary for this service; and, after having furnished him in the fullest and completest manner with

with artillery, stores, provisions, and every other article necessary for his expedition, and secured to him every assistance which it is in your power to afford and procure, you are to give him orders to pass Lake Champlain; and from thence, by the most vigorous exertion of the force under his command, to proceed with all expedition to Albany, and put himself under the command of Sir William Howe.

From the King's knowledge of the great preparations made by you last year to secure the command of the lakes, and your attention to this part of the service during the winter, his Majesty is led to expect that every thing will be ready for General Burgoyne's passing the lakes by the time you and he shall have adjusted the plan of the expedition.

It is the King's farther pleasure that you put under the command of Lieutenant-Colonel St. Leger,

Detachment from the 8th regiment, — 100

Detachment from the 34th regiment, — 100

Sir John Johnson's regiment of New-York, — 133

Hanau chasseurs, — 342

— 675

Together with a sufficient number of Canadians and Indians; and, after having furnished him with proper artillery, stores, provisions, and every other necessary article for his expedition, and secured to him every assistance in your power to afford and procure, you are to give him orders to proceed forthwith to and down the Mohawk-River to Albany, and put himself under the command of Sir William Howe.

I shall write to Sir William Howe, from hence, by the first packet; but you will, nevertheless, endeavour to give him the earliest intelligence of this measure; and also direct Lieutenant-General Burgoyne and Lieutenant-Colonel St. Leger to neglect no opportunity of doing

doing the same, that they may receive instructions from Sir William Howe. You will, at the same time, inform them, that, until they shall have received orders from Sir William Howe, it is his Majesty's pleasure that they act as exigences may require, and in such manner as they shall judge most proper for making an impression on the rebels, and bringing them to obedience; but that, in so doing, they must never lose view of their intended junctions with Sir William Howe as their principal objects.

In case Lieutenant-General Burgoyne or Lieutenant-Colonel St. Leger should happen to die, or be rendered, through illness, incapable of executing those great trusts, you are to nominate, to their respective commands, such officer or officers as you shall think best qualified to supply the place of those whom his Majesty has, in his wisdom, at present appointed to conduct these expeditions.

*Copy of a Letter from Lieutenant-General Burgoyne to No. V.
Lord George Germain, dated Quebec, May 14,
1777.*

MY LORD,

[Private.]

I TAKE the opportunity of a vessel, dispatched by Sir Guy Carleton to England, to inform your Lordship of my arrival here the 6th instant. And though my present situation, as acting under a superior upon the spot, may make an official correspondence unnecessary, I cannot persuade myself I shall not appear guilty of impropriety in assuming the honour of a private and confidential one, relative to the objects of my destination.

From my present information, I have reason to expect the preparations for opening the campaign to be very forward on our part. Due exertions were used in the course of the winter, and the uncommon mild-

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ness of the weather greatly favoured them, to convey provisions to Chamblée and St. John's. One large victualler arrived after I left the St. Lawrence last November; all residues of other victuallers have been collected; I am in hopes of finding a sufficiency of provision to enable me to cross the Lake Champlain at least, without the arrival of the Corke fleet. I hope also to find artillery-stores enough to feel the pulse of the enemy at Ticonderoga. Should their situation and resolution be such as to make great artillery preparations requisite, I shall certainly be under the necessity of waiting, at Crown-Point, the arrival of the ordnance ships from England. A good body of the Indians, I am assured, are ready to move upon the first call, and measures are taking for bringing them forthwith to proper rendezvous.

I cannot speak with so much confidence of the military assistance I am to look for from the Canadians. The only corps yet instituted, or that I am informed can at present be instituted, are three independent companies of 100 men each, officered by Seigneurs of the country, who are well chosen; but they have not been able to engage many volunteers. The men are chiefly drafted from the militia, according to a late regulation of the legislative council. Those I have yet seen afford no promise of use of arms; — awkward, ignorant, disinclined to the service, and spiritless. Various reasons are assigned for this change in the natives since the time of the French government. It may partly be owing to a disuse of arms, but I believe principally to the unpopularity of their Seigneurs, and to the poison which the emissaries of the rebels have thrown into their minds. Should I find the new companies up the country better composed, or that the well-affected parties can be prevailed upon to turn out volunteers, though but for a short occasion, as they did last year, I shall

I shall move Sir Guy Carleton to exert farther measures to augment my numbers.

The army will fall short of the strength computed in England; the want of camp-equipage, clothing, and many other necessary articles, will cause inconvenience; I have nevertheless determined to put the troops, destined for my command, immediately in motion; and, assisted by the spirit and health in which they abound, I am confident in the prospect of overcoming difficulties and disappointments.

Having settled all measures with Sir Guy Carleton, both for this purpose and for the expeditious transport of the stores as they may arrive; and having already dispatched instructions to Captain Lutwidge, who commands the fleet upon Lake Champlain, to secure the navigation, in which I clearly see he will find no trouble, I shall proceed in person this afternoon for Montreal; and from thence make my final arrangements for pursuing the King's orders.

I should think myself deficient in justice and in honour, were I to close my letter without mentioning the sense I entertain of General Carleton's conduct; that he was anxiously desirous of leading the military operations out of the province, is easily to be discerned; but his deference to his Majesty's decision, and his zeal to give effect to his measures in my hands, are equally manifest, exemplary, and satisfactory. I shall take every possible means to transmit to your Lordship an account of my proceedings from time to time. And have the honour to be, with perfect respect,

Your Lordship's most obedient

And most humble servant,

J. BURGoyNE.

P. S. I have mentioned nothing of intelligence concerning the enemy, concluding that Sir Guy Carleton

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will

will transmit the material part of it, and in a manner more full than in my power to do. I understand they have laboured hard to strengthen Ticonderoga, and threaten a vigorous resistance there; and that they have built some vessels on Lake George, as your Lordship may remember I had foreseen.

Second
No. V.

Copy of a Letter from Lieutenant-General Burgoyne to Lord George Germain, dated Montreal, May 19, 1777.

MY LORD,

I HAD the honour to write to your Lordship the day I left Quebec; having reason to imagine this letter may reach that place in time to be dispatched with my former one, I cannot omit the occasion to inform your Lordship, that the hopes I expressed of being able to put the troops in motion, without waiting the arrival of the fleets from England and Ireland, are confirmed.

The only delay is occasioned by the impracticability of the roads, owing to late extraordinary heavy rains; and this difficulty will be speedily removed, by exerting the services of the parishes as soon as the weather clears. In the mean time, I am employing every means, that water-carriage will admit of, for drawing the troops and stores towards their point. I trust I shall have vessels sufficient to move the army and stores together; and, in that case, will take post at once, within sight of Ticonderoga, and only make use of Crown-Point for my hospital and magazine.

A continuation of intelligence, from different spies and deserters, confirms the design of the enemy to dispute Ticonderoga vigorously. They are also building bow-gallies at Fort George, for the defence of that Lake, &c. fortifying on the road to Skenesborough.

It is consigned to the New-England colonies to furnish supplies of men and provision to oppose the progress

progress of my army; and they have undertaken the task, upon condition of being exempt from supplying Mr. Washington's main army.

It is my design, while advancing to Ticonderoga, and during the siege of that post, (for a siege I apprehend it must be,) to give all possible jealousy on the side of Connecticut. If I can, by manœuvre, lead the enemy to suspect, that, after the reduction of Ticonderoga, my views are pointed that way, the Connecticut forces will be very cautious of leaving their own frontier, and I may gain a start that may much expedite and facilitate my progress to Albany.

Your Lordship may rest assured, that, whatever demonstration I may endeavour to impose on the enemy, I shall *really* make no movement that can procrastinate the great object of my orders.

I have the honour to be, &c.

J. BURGoyNE.

Substance of the Speech of Lieutenant-General Burgoyne No. VI, to the Indians, in Congress, at the Camp upon the River Bouquet, June 21, 1777; and their Answer, translated.

[In Lieutenant-General Burgoyne's, June 22, 1777.]

CHIEFS and WARRIORS,

THE great King, our common father, and the patron of all who seek and deserve his protection, has considered, with satisfaction, the general conduct of the Indian tribes from the beginning of the troubles in America. Too sagacious and too faithful to be deluded or corrupted, they have observed the violated rights of the parental power they love, and burned to vindicate them. A few individuals alone, the refuse of a small tribe, at the first were led astray; and the mis-

representations, the specious allurements, the insidious promises, and diversified plots, in which the rebels are exercised, and all of which they employed for that effect, have served only in the end to enhance the honour of the tribes in general, by demonstrating to the world how few and how contemptible are the apostates. It is a truth known to you all, that, these pitiful examples excepted, (and they probably have before this day hid their faces in shame,) the collective voices and hands of the Indian tribes, over this vast continent, are on the side of justice, of law, and of the King.

The restraint you have put upon your resentment in waiting the King your father's call to arms, the hardest proof, I am persuaded, to which your affection could have been put, is another manifest and affecting mark of your adherence to that principle of connection, to which you were always fond to allude, and which it is mutually the joy and the duty of the parent to cherish.

The clemency of your father has been abused, the offers of his mercy have been despised, and his farther patience would, in his eyes, become culpable, in-as-much as it would withhold redress from the most grievous oppressions in the provinces that ever disgraced the history of mankind. It therefore remains for me, the General of one of his Majesty's armies, and in this council his representative, to release you from those bonds which your obedience imposed. — Warriors, you are free; — go forth in might of your valour and your cause; — strike at the common enemies of Great-Britain and America; — disturbers of public order, peace, and happiness; destroyers of commerce; parricides of the state.

The circle round you, the chiefs of his Majesty's European forces, and of the Princes, his allies, esteem you as brothers in the war: emulous in glory and in friendship, we will endeavour reciprocally to give and

to receive examples; we know how to value, and we will strive to imitate, your perseverance in enterprise, and your constancy to resist hunger, weariness, and pain. Be it our task, from the dictates of our religion, the laws of our warfare, and the principles and interest of our policy, to regulate your passions when they overbear, to point out where it is nobler to spare than to revenge, to discriminate degrees of guilt, to suspend the up-lifted stroke, to chastise and not to destroy.

This war to you, my friends, is new; upon all former occasions, in taking the field, you held yourselves authorised to destroy wherever you came, because every where you found an enemy. The case is now very different.

The King has many faithful subjects dispersed in the provinces, consequently you have many brothers there; and these people are the more to be pitied, that they are persecuted or imprisoned wherever they are discovered or suspected; and to dissemble is, to a generous mind, a yet more grievous punishment.

Persuaded that your magnanimity of character, joined to your principles of affection to the King, will give me fuller controul over your minds than the military rank with which I am invested, I enjoin your most serious attention to the rules which I hereby proclaim for your invariable observation during the campaign.

I positively forbid bloodshed, when you are not opposed in arms.

Aged men, women, children, and prisoners, must be held sacred from the knife or hatchet, even in the time of actual conflict.

You shall receive compensation for the prisoners you take, but you shall be called to account for scalps.

In conformity and indulgence of your customs, which have affixed an idea of honour to such badges of victory, you shall be allowed to take the scalps of the dead, when

killed by your fire and in fair opposition; but, on no account, or pretence, or subtlety, or prevarication, are they to be taken from the wounded, or even dying; and still less pardonable, if possible, will it be held, to kill men in that condition on purpose, and upon a supposition that this protection to the wounded would be thereby evaded.

Base lurking assassins, incendiaries, ravagers and plunderers of the country, to whatever army they may belong, shall be treated with less reserve; but the latitude must be given you by order, and I must be the judge of the occasion.

Should the enemy, on their part, dare to countenance acts of barbarity towards those who may fall into their hands, it shall be yours also to retaliate; but, till severity be thus compelled, bear immoveable in your hearts this solid maxim, (it cannot be too deeply impressed,) that the great essential reward, worthy service of your alliance, the sincerity of your zeal to the King, your father and never-failing protector, will be examined and judged upon the test only of your steady and uniform adherence to the orders and counsels of those, to whom his Majesty has entrusted the direction and the honour of his arms.

Answer from an old Chief of the Iroquois.

I STAND up in the name of all the nations present, to assure our father that we have attentively listened to his discourse. We receive you as our father; because, when you speak, we hear the voice of our great father beyond the great lake.

We rejoice in the approbation you have expressed of our behaviour.

We have been tried and tempted by the Bostonians; but we have loved our father; and our hatchets have been sharpened upon our affections.

In

In proof of the sincerity of our professions, our whole villages, able to go to war, are come forth. The old and infirm, our infants and wives, alone remain at home.

With one common assent we promise a constant obedience to all you have ordered, and all you shall order; and may the Father of Days give you many and success.

Copy of a Letter from Lieutenant-General Burgoyne to Lord George Germain, dated Skenesborough, July 11th, 1777. No. VII.

I HAVE the honour to inform your Lordship, that the enemy were dislodged from Ticonderago and Mount Independence on the 6th instant, and were driven, on the same day, beyond Skenesborough on the right, and to Humerton on the left, with the loss of 128 pieces of cannon, all their armed vessels and bateaux, the greatest part of their baggage and ammunition, provision, and military stores, to a very large amount.

This success has been followed by events equally fortunate and rapid. I subjoin such a detail of circumstances as the time will permit; and, for his Majesty's farther information, I beg leave to refer your Lordship to Captain Gardner, my aid-de-camp, whom I thought it necessary to dispatch with news so important to the King's service, and so honourable to the troops under my command.

Journal of the late principal Proceedings of the Army.

Having remained at Crown-Point three days, to bring up the rear of the army, and to establish the magazines and the hospital, and to obtain intelligence of the enemy, on the

I ordered the advanced corps, consisting of the British light-infantry and grenadiers, the 24th regiment,

30th June

ment, some Canadians and Savages, and ten pieces of light artillery, under the command of Brigadier-General Fraser, to move from Putnam-Creek, where they had been encamped some days, up the west shore of the lake to Four-Mile-Point, so called from being within that distance off the fort of Ticonderoga. The German reserve, consisting of the Brunswic chasseurs, light-infantry, and grenadiers, under Lieutenant-Colonel Breyman, were moved at the same time to Richardson's farm, on the east shore, opposite to Putnam-Creek.

1st July. The whole army made a movement forward. Brigadier Fraser's corps occupied the strong post, called Three-Mile-Point, on the west shore; the German reserve, the east shore opposite: the army encamped in two lines; the right wing at the Four-Mile Point, the left wing nearly opposite, on the east shore.

The Royal-George and Inflexible frigates, with the gun-boats, were anchored at this time just without the reach of the enemy's batteries, and covered the lake from the west to the east shores. The rest of the fleet had been some time without guns, in order to assist in carrying provisions over Lake Champlain.

The enemy appeared to be posted as follows. A brigade occupied the old French lines on the height, to the north of the fort of Ticonderoga. These lines were in good repair, and had several intrenchments behind them, chiefly calculated to guard the north-west flank, and were farther sustained by a block-house. They had, farther to their left, a post at the saw-mills, which are at the foot of the carrying-place to Lake George, and a block-house upon an eminence above the mills, and a block-house and hospital at the entrance of the lake.

Upon the right of the lines, and between them and the old fort, there were two new block-houses, and a considerable battery close to the water edge.

It

It seemed that the enemy had employed their chief industry, and were in the greatest force, upon Mount Independence, which is high and circular; and upon the summit, which is Table Land, was a star fort, made of pickets, and well supplied with artillery, and a large square of barracks within it. The foot of the hill, on the side which projects into the lake, was intrenched, and had a strong abattis close to the water. This intrenchment was lined with heavy artillery, pointed down the lake, flanking the water-battery, above described, and sustained by another battery about half-way up the hill. On the west side of the hill runs the main river, and in its passage is joined by the water which comes down from Lake George. The enemy had here a bridge of communication, which could not at this time be reconnoitred. On the east side of the hill the water forms a small bay, into which falls a rivulet, after having encircled in its course part of the hill to the south east. The side to the south could not be seen, but was described as inaccessible.

About nine in the morning a smoke was observed July 2. towards Lake George, and the Savages brought in a report, that the enemy had set fire to the farther block-house, and had abandoned the saw-mills, and that a considerable body was advancing, from the lines, towards a bridge upon the road which led from the saw-mills, towards the right of the British camp. A detachment of the advanced corps was immediately put in march, under the command of Brigadier Fraser, supported by the second brigade and some light artillery, under the command of Major-General Phillips, with orders to proceed to Mount Hope, which is to the north of the lines, to reconnoitre the enemy's position, and to take advantage of any post they might abandon or be driven from. The Indians, under Captain Fraser, supported by his company of marksmen, were directed to make a circuit to the left of Brigadier Fraser's line

line of march, and endeavoured to cut off the retreat of the enemy to their lines; but this design miscarried through the impetuosity of the Indians, who attacked too soon, and in front; and the enemy was thereby able to retire with the loss of one officer and a few men killed, and one officer wounded. Major-General Phillips took possession of the very advantageous post of Mount Hope this night, and the enemy was thereby entirely cut off from all communication with Lake George.

July 3. Mount Hope was occupied in force by General Fraser's whole corps; the first British brigade and two entire brigades of artillery. The second brigade, British, encamped upon the left of the first, and the brigade of Gall, having been drawn from the east shore, to occupy the ground where Fraser's corps had originally been, the line became complete, extending from Three-Mile-Point to the westernmost part of Mount Hope: on the same day, Major-General Reidesel encamped on the east shore, in a parallel line with Three-Mile-Point, having pushed the reserve forward, near the rivulet which encircles Mount Independence. The enemy cannonaded the camps of Mount Hope and of the German reserve during most part of this day, but without effect.

July 4. The army worked hard at their communications, and got up the artillery, tents, baggage, and provisions: the enemy, at intervals, continued the cannonade upon the camps, which was not in any instance returned.

The Thunderer radeau, carrying the battering train and stores, having been warped up from Crown-Point, arrived this day, and immediately began to land the artillery.

July 5. Lieutenant Twiss, the commanding engineer, was ordered to reconnoitre Sugar-Hill, on the south side of the communication from Lake George into Lake Champlain, which had been possessed in the night by a party

ty of light infantry. It appeared at first to be a very advantageous post, and it is now known that the enemy had a council, some time ago, upon the expediency of possessing it; but the idea was rejected, upon the supposition that it was impossible for a corps to be established there in force. Lieutenant Twiss reported this hill to have the entire command of the works and buildings both of Ticonderoga and Mount Independence, at the distance of about 1400 yards from the former, and 1500 from the latter; that the ground might be levelled, so as to receive cannon, and that the road to convey them, though difficult, might be made practicable, in twenty-four hours. This hill also commanded, in reverse, the bridge of communication, saw the exact situation of their vessels, nor could the enemy, during the day, make any material movement or preparation, without being discovered, and even having their numbers counted.

It was determined that a battery should be raised on Sugar-Hill for light twenty-four pounders, medium twelves, and eight-inch howitzers. This very arduous work was carried on so rapidly, that the battery would have been ready the next day.

It is a duty in this place to do some justice to the zeal and activity of Major-General Phillips, who had the direction of the operation; and, having mentioned that most valuable officer, I trust it cannot be thought a digression to add, that it is to his judicious arrangements and indefatigable pains, during the general superintendency of preparation, which Sir Guy Carleton entrusted to him in the winter and spring, that the service is indebted for its present forwardness. The prevalence of contrary winds and other accidents having rendered it impossible for any necessaries, prepared in England for the opening of the campaign, yet to reach the camp.

Soon

July 6.

Soon after day-light, an officer arrived express on-board the Royal George, where in the night I took up my quarters as the most central situation, with information from Brigadier Frazer, that the enemy was retiring, and that he was advancing with his picquets, leaving orders for the brigade to follow, as soon as they could accoutre, with intention to pursue by land. This movement was very discernible, as were the British colours, which the Brigadier had fixed upon the fort of Ticonderoga. Knowing how safely I could trust to that officer's conduct, I turned my chief attention to the pursuit by water, by which route I understood one column was retiring, in two hundred and twenty bateaux, covered by five armed galleys.

The great bridge of communication, through which a way was to be opened, was supported by twenty-two sunken piers of large timber, at nearly equal distances; the space between was made of separate floats, each about fifty feet long, and twelve feet wide, strongly fastened together by chains and rivets, and also fastened to the sunken piers. Before this bridge was a boom, made of very large pieces of timber, fastened together by riveted bolts and double chains, made of iron an inch and a half square.

The gun-boats were instantly moved forward, and the boom and one of the intermediate floats were cut with great dexterity and dispatch, and Commodore Lutwidge, with the officers and seamen in his department, partaking the general animation, a passage was formed in half an hour for the frigates also, through impediments which the enemy had been labouring to construct since last autumn.

During this operation, Major General Reidesel had passed to Mount Independence, with the corps, Breyman, and part of the left wing. He was directed to proceed by land, to sustain Brigadier Frazer, or to act more to the left if he saw it expedient so to do.

The

The 62d regiment, British, and the Brunswic regiment of Prince Frederick, were stationed at Ticonderoga and Mount Independence, in the place of the parties of Frazer's brigade which had been left in possession of the artillery and stores; and the rest of the army was ordered to follow up the river as they could be collected, without regard to the place in the line.

About three in the afternoon I arrived, with the Royal George and Inflexible, and the best sailing gun-boats, at South Bay, within three miles of Skenesborough, at which latter place the enemy were posted in a stockaded fort, and their armed gallies in the falls below.

The foremost regiments, viz. the 9th, 20th, and 21st, were immediately disembarked, and ascended the mountains with the intention of getting behind the fort and cutting off the retreat of the enemy; but their precipitate flight rendered this manœuvre ineffectual. The gun-boats and frigates continued their course to Skenesborough Falls, where the armed vessels were posted. Captain Carter, with part of his brigade of gun-boats, immediately attacked, and with so much spirit, that two of the vessels very soon struck; the other three were blown up; and the enemy, having previously prepared combustible materials, set fire to the fort, mills, storehouses, bateaux, &c. and retired with the detachment left for that purpose, the main body having gone off when the troops were ascending the mountain. A great quantity of provisions and some arms were here consumed, and most of their officers' baggage was burnt, sunk, or taken. Their loss is not known; about 30 prisoners were made, among which were two wounded officers.

During these operations upon the right, Brigadier General Frazer continued his pursuit to Castletown till one o'clock, having marched, in a very hot day,
from

from four o'clock in the morning till that time. Some stragglers of the enemy were picked up, from whom the Brigadier learned, that their rear guard was composed of chosen men, and commanded by Colonel Francis, one of their best officers. During the time that the men were refreshing, Major General Reidesel came up, and, arrangements for continuing the pursuit having been concerted, Brigadier Fraser moved forward again, and during the night lay upon his arms, in an advantageous situation, three miles nearer the enemy.

7th July. At three in the morning he renewed his march, and about five his advanced scouts discovered the enemy's centries, who fired their pieces and joined the main body. The Brigadier, observing a commanding ground to the left of his light infantry, immediately ordered it to be possessed by that corps; and, a considerable body of the enemy attempting the same, they met. The enemy were driven back to their original post; the advanced guard, under Major Grant, was by this time engaged, and the grenadiers were advanced to sustain them and to prevent the right flank from being turned. The Brigadier remained on the left, where the enemy long defended themselves by the aid of logs and trees; and, after being repulsed, and prevented getting to the Castletown road, by the grenadiers, they rallied and renewed the action; and, upon a second repulse, attempted their retreat by Pitsford Mountain. The grenadiers scrambled up a part of that ascent, appearing almost inaccessible, and gained the summit before them, which threw them into confusion. They were still greatly superior in numbers, and consequently in extent; and the Brigadier, in momentary expectation of the Brunswickers, had laterally drawn from his left to support his right. At this critical moment, General Reidesel, who had pressed on, upon hearing the firing, arrived with the foremost

foremost of his columns, viz. the chasseurs company and eighty grenadiers and light infantry. His judgement immediately pointed to him the course to take; he extended upon Brigadier Frazer's left flank. The chasseurs got into action with great gallantry under Major Barner. They fled on all sides, leaving dead upon the field Colonel Francis and many other officers, with upwards of 200 men; above 600 were wounded, most of whom perished in the woods attempting to get off; and one colonel, seven captains, ten subalterns, and 210 men, were made prisoners; above 200 stands of arms were also taken.

The number of the enemy before the engagement amounted to 2000 men. The British detachment under Brigadier General Frazer (the parties left the day before at Ticonderoga not having been able to join) consisted only of 850 fighting men.

The bare relation of so signal an action is sufficient for its praise. Should the attack against such inequality of numbers, before the German brigade came up, seem to require explanation, it is to be considered, that the enemy might have escaped by delay; that the advanced guard on a sudden found themselves too near the enemy to avoid action without retreating; and that Brigadier Frazer had supposed the German troops to be very near. The difference of time in their arrival was merely accidental. The Germans pushed for a share in the glory, and they arrived in time to obtain it. I have only to add, that the exertions of Brigadier Frazer on this day were but a continuance of that uniform intelligence, activity, and bravery, which distinguish his character upon all occasions, and entitle him to be recommended in the most particular manner to his Majesty's favour.

The officers and soldiers of this brigade have prevented any distinctions of individuals by a general and equal display of spirit.

The country people about Skenesborough having reported that part of the enemy were still retreating, the 9th regiment was detached, with orders to take post near Fort Anne and observe the enemy's motions. This was effected, but with great difficulty, as the roads were almost impracticable and the bridges broken. The other troops were employed all that day and night in dragging fifty bateaux over the carrying-place at Wood Creek, to facilitate the movement of the rest of the first brigade to Fort Anne to dislodge the enemy.

8th July.

A report was received from Lieutenant Colonel Hill (9th regiment) that the enemy had been reinforced in the night by a considerable body of fresh men; that he could not retire with his regiment before them, but he would maintain his ground. The two remaining regiments of the first brigade were ordered to quicken their march, and upon second intelligence of the enemy, and firing being heard, the 20th regiment was ordered forward with two pieces of artillery, and Major General Phillips was sent to take the command. A violent storm of rain, which lasted the whole day, prevented the troops from getting to Fort Anne so soon as was intended; but the delay gave the 9th regiment an opportunity of distinguishing themselves, by standing and repulsing an attack of six times their number. The enemy, finding the position not to be forced in front, endeavoured to turn it; and, from the superiority of their numbers, that inconvenience was to be apprehended; and Lieutenant Colonel Hill found it necessary to change his position in the height of action. So critical an order was executed by the regiment with the utmost steadiness and bravery. The enemy, after an attack of three hours, were totally repulsed, and fled toward Fort Edward, setting fire to Fort Anne, but leaving a saw-

a saw-mill and a block-house in good repair, which were afterwards possessed by the king's troops.

The 9th regiment acquired, during their expedition, about thirty prisoners, some stores and baggage, and the colours of the 2d Hampshire regiment.

One unlucky accident happened, to counterbalance in some degree this success. Captain Montgomery, an officer of great merit, was wounded early in the action, and was in the act of being dressed by the surgeon when the regiment changed ground; being unable to help himself, he and the surgeon were taken prisoners. I since hear he has been well treated, and is in a fair way of recovery at Albany.

The army, very much fatigued, (many parts of it ^{9th and 10th July.} having wanted their provisions for two days, almost the whole their tents and baggage,) assembled in their present position. The right wing occupies the heights of Skenesborough in two lines; the right flank to the mountains, covered by the regiment of Reidesel's dragoons, *en potence*; the left to the Wood Creek.

The Brunswick troops under Major General Reidesel upon Castletown River, with Breyman's corps upon the communication of roads leading to Putney and Rutland, the regiment of Hesse Hanau, are posted at the head of East Creek, to preserve the communication with the camp at Castletown river and secure the bateaux.

Brigadier Fraser's corps is in the center, and ready to move on either wing of the army.

The scattered remains of the enemy are at Fort Edward, on the Hudson's River, where they have been joined, as I am informed, by General Putnam with a considerable corps of fresh troops.

Roads are opening for the army to march to them by Fort Anne, and the Wood Creek is clearing of fallen trees, sunken stones, and other obstacles, to give passage to bateaux for carrying artillery, stores, provisions,

provisions, and camp equipage. These are laborious works, but the spirit and zeal of the troops are sufficient to surmount them. Some little time must also be allowed for the supplies of provisions to overtake us. In the mean time all possible diligence is using at Ticonderoga to get the gun-boats, provision-vessels, and a proper quantity of bateaux, into Lake George. A corps of the army will be ordered to penetrate by that route, which will afterwards be the route for the magazines; and a junction of the whole is intended at Fort Edward.

I transmit to your Lordship herewith, returns of the killed and wounded, and lists of such parts of provisions and stores, taken from the enemy, as could be collected in so short a time.

I have the honour to be, with the greatest respect,

Your Lordship's, &c.

No. VIII. *Copy of a Letter from Lieutenant General Burgoyne to Lord George Germaine, dated Skenesborough, July 11, 1777.*

[Private.]

MY LORD,

HAVING given your Lordship a detail, in my public letter of this date, of the late transactions, I now do myself the honour to state to your Lordship such circumstances as appear to me more proper for a private communication.

Mr. Peters and Mr. Jessup, who came over to Canada last autumn, and proposed to raise battalions, one from the neighbourhood of Albany, the other from Charlotte county, are confident of success as the army advances. Their battalions are now in embryo, but very promising; they have fought, and with spirit. Sir Guy Carleton has given me blank commissions

commissions for the officers to fill up occasionally; and the agreement with them is, that the commissions are not to be so effective till two thirds of the battalions are raised. Some hundreds of men, a third part of them with arms, have joined me since I penetrated this place, professing themselves loyalists, and wishing to serve, some to the end of the war, some for the campaign. Though I am without instructions upon this subject, I have not hesitated to receive them, and, as fast as companies can be formed, I shall post the officers till a decision can be made upon the measure by my superiors. I mean to employ them particularly upon detachments for keeping the country in awe and procuring cattle. Their real use I expect will be great in the preservation of the national troops; but the impression which will be caused upon public opinion, should provincials be seen acting vigorously in the cause of the King, will be yet more advantageous, and I trust fully justify the expence.

The manifesto, of which I enclosed your Lordship a copy in my last dispatches, and herewith send a duplicate, has great effect where the country is not in the power of the rebels; where it is, the committees turn all their efforts to counteract it. They watch or imprison all suspected persons, compel the people in general to take arms, and to drive the cattle, and to burn the corn, under penalty of immediate death. Great numbers have been hanged. Should these wretches succeed to make a desert of the country by fire and massacre, it will at least be a pleasing reflection, that, while advantages are reaped from the element part of the manifesto, they, and not the King's troops, are the executioners of its threats.

Your Lordship will have observed I have made no mention of the Indians in the pursuit from Ticonderoga. It is not possible to draw them in many res-

pests from the plunder of that place, and I confidentially acknowledge this is not the only instance in which I have found little more than a name. If, under the management of their conductors, they are indulged, for interested reasons, in all the caprices and humours of spoiled children, like them they grow more unreasonable and importunate upon every new favour. Were they left to themselves, enormities too horrid to think of would ensue: guilty and innocent, women and infants, would be a common prey.

This is the character of the lower Canadian Indians, who alone have been with the army hitherto. I am informed the Outawas, and other remote nations, who are within two days march of joining me, are more brave and more tractable; that they profess war, not pillage. They are under the directions of a M. St. Luc, a Canadian gentleman of honour and parts, and one of the best partizans the French had last war, and of one Langlade, the very man who projected and executed, with these very nations, the defeat of General Braddock. My first intention was to turn this whole corps to the Connecticut immediately, to force a supply of provisions, to intercept reinforcements, and to confirm the jealousy I have in many ways endeavoured to excite in the New-England provinces: but, finding that the enemy are labouring to remove their magazines from Forts George and Edward, and every where destroying the roads, and preparing to drive and burn the country towards Albany, I have determined to employ them, to prevent, if possible, by their terror, the continuance of those operations. And, after arriving at Albany, they may be employed to renew the alarm towards Connecticut and Boston.

Your Lordship will pardon me if I a little lament, that my orders do not give me the latitude I ventured to propose, in my original project for the campaign,

paign, to make a real effort instead of a feint upon New England. As things have turned out, were I at liberty to march in force immediately by my left, instead of my right, I should have little doubt of subduing, before winter, the provinces where the rebellion originated.

If my late letters reach Mr. Howe, I still hope this plan may be adopted from Albany; in the mean while my utmost exertions shall continue, according to my instructions, to force a junction.

I have sent some Indians through the woods, in the hope of their reaching St. Leger with the account of my progress: now is the critical time for his push upon the Mohawk. I have certain intelligence that all the country round Fort Stanwix is in alarm; but I imagine it proceeds from the appearance of some savages detached by Colonel Butler, not apprehending St. Leger can be got quite so forward.

Camp near Saratoga, August 20, 1777. Second
No. VIII.

To Lord George Germaine.

MY LORD,

IN my last dispatch (a duplicate of which will be inclosed herewith) I had the honour to inform your Lordship of the proceedings of the army under my command to the 30th of July.

From that period to the 15th of August every possible measure was employed to bring forward bateaux, provisions, and ammunition, from Fort George to the first navigable part of Hudson's River, a distance of eighteen miles, the roads in some parts steep, and in others wanting great repair. Of the horses, furnished by contract in Canada, not more than a third part was yet arrived. The delay was not imputable to neglect, but to the natural accidents attending so long

long and intricate a combination of land and water carriage. Fifty team of oxen, which had been collected in the country through which I had marched, were added to assist the transport; but these resources together were found far inadequate to the purposes of feeding the army and forming a magazine at the same time. Exceeding heavy rains augmented the impediments: it was often necessary to employ ten or twelve oxen upon a single bateau; and, after the utmost exertions for the fifteen days above stated, there were not above four days provision before hand, nor above ten bateaux in the river.

Intelligence had reached me, that Lieutenant Colonel St. Leger was before Fort Stanwix, which was defended. The main army of the enemy opposed to me was at Stillwater, a place between Saratoga and the mouth of the Mohawk.

A rapid movement forward appeared to be of the utmost consequence at this period. The enemy could not have proceeded up the Mohawk without putting themselves between two fires, in case Colonel St. Leger should have succeeded, and at best being cut off by my army from Albany. They must either, therefore, have stood an action, have fallen back towards Albany, or have passed the Hudson's River, in order to secure a retreat to New England, higher up. Which ever of these measures they had taken, so that the King's army had been enabled to advance, Colonel St. Leger's operations would have been assisted, a junction with him probably secured, and the whole country of the Mohawk opened. To maintain the communication with Fort George during such a movement, so as to be supplied by daily degrees at a distance continually increasing, was an obvious impossibility. The army was much too weak to have afforded a chain of posts. Escorts for every separate transport would have been a still greater drain; nor could
any

any have been made so strong as to force their way through such positions as the enemy might take in one night's march from the White Creek, where they had a numerous militia. Had the enemy remained supine, through fear, or want of comprehending so palpable an advantage, the physical impossibility of being supplied by degrees from Fort George was still in force, because a new necessity of land carriage for nine miles arises at Stillwater; and, in the proportion that carriages had been brought forward to that place, the transport must have ceased behind.

The alternative, therefore, was short: either to relinquish the favourable opportunity of advancing upon the enemy, or to attempt other resources of supply.

It is well known that the enemy's supplies in live cattle, from a large tract of country, passed by the route of Manchester, Arlington, and other parts of the Hampshire Grants, to Benington, in order to be occasionally conveyed thence to the main army. A large deposit of corn and of wheel carriages was also formed at the same place, and the usual guard was militia, though it varied in numbers from day to day. A scheme was formed to surprise Benington. The possession of the cattle and carriages would certainly have enabled the army to leave their distant magazines, and to have acted with energy and dispatch; success would also have answered many secondary purposes.

Lieut. Col. Baume, an officer well qualified for the undertaking, was fixed upon to command. He had under him 200 dismounted dragoons of the regiment of Reidesel, Captain Fraser's marksmen, which were the only British, all the Canadian volunteers, a party of the Provincials who perfectly knew the country, 100 Indians, and two light pieces of cannon; the whole detachment amounted to about 500 men. The instructions were positive, to keep the regular corps posted,

ted, while the light troops felt their way, and not to incur the danger of being surrounded, or having a retreat cut off.

In order to facilitate this operation, and to be ready to take advantage of its success, the army moved up the east shore of Hudson's River. On the 14th, a bridge was formed of rafts, over which the advanced corps passed and encamped at Saratoga. Lieutenant-Colonel Breyman's corps were posted near Batten-Kill; and, upon intelligence, from Colonel Baume, that the enemy were stronger at Bennington than expected, and were aware of his attack, that corps, consisting of the Brunswic grenadiers, light-infantry, and chaffeurs, were sent forward to sustain him.

It since appears, that Lieutenant-Colonel Baume, not having been able to complete his march undiscovered, was joined at a place called Sancoix-Mills, about four miles short of Bennington, by many people professing themselves to be Loyalists. A provincial gentleman of confidence, who had been sent with the detachment, as knowing the country and the character of the inhabitants, was so incautious as to leave at liberty such as took the oath of allegiance.

His credulity and their profligacy caused the first misfortune. Colonel Baume was induced to proceed without sufficient knowledge of the ground. His design was betrayed; the men who had taken the oaths were the first to fire upon him: he was attacked on all sides; he shewed great personal courage, but was overpowered by numbers.

During this time Lieutenant-Colonel Breyman was upon the march through a heavy rain; and such were the other impediments stated in that officer's report, of bad roads, tired horses, difficulties in passing artillery, carriages, &c. that he was from eight in the morning of the 15th to four in the afternoon of the following day making about twenty-four miles.

He

He engaged, fought gallantly, and drove the enemy from three several heights; but was too late to succour Colonel Baume, who was made prisoner, and a considerable part of his dragoons were killed or taken. The failure of ammunition, from the accidental breaking to pieces of a tumbril, unfortunately obliged Lieutenant-Colonel Breyman to retire conquering troops, and to leave behind two pieces of cannon, besides two which had been lost by Lieutenant-Colonel Baume. The Indians made good their retreat from the first affair, as did Captain Frazer, with part of his company, and many of the Provincials and Canadians.

The loss, as at present appears, amounts to about 400 men, killed and taken in both actions, and twenty-six officers, mostly prisoners; but men who were dispersed in the woods drop in daily. A correct return shall be transmitted to your Lordship the first opportunity.

This, my Lord, is a true state of the event. I have not dwelt upon errors, because, in many instances, they were counterbalanced by spirit. The enemy will of course find matter of parade in the acquisition of four pieces of cannon; but, that apart, they have small cause of exultation, their loss, in killed and wounded, being more than double to ours, by the confession of their prisoners and deserters, and of many inhabitants who were witnesses to the burial of their dead.

The chief subject of regret on our side, after that which any loss of gallant men naturally occasions, is the disappointment of not obtaining live cattle, and the loss of time in bringing forward the magazines.

This heavy work is now nearly completed, and a new bridge of boats is thrown over the Hudson's River, opposite to Saratoga, the former one of rafts having been carried away by the swell of water after the late continual rains. When enabled to move, nothing within my scale of talent shall be left unattempted to fulfil

fulfil his Majesty's orders; and I hope circumstances will be such, that my endeavours may be, in some degree, assisted by the co-operation of the army under Sir William Howe.

I have the honour to be, with great respect,

Your Lordship's most obedient

And most humble servant,

(Signed.)

J. BURGoyNE.*

No. IX. *Copy of a Letter from Lieutenant-General Burgoyne to Lord George Germaine, dated Camp, near Saratoga, August 20, 1777.*

[Private.]

MY LORD,

I NEED not enlarge upon the concern I have in communicating any sinister events. I am persuaded your Lordship will give me credit for partaking every sentiment that your Lordship, or any other man warmed with principle and zeal in this contest, can feel.

In regard to the affair of Saintcroick, I have only to add to the public account, that, if ever there was a situation to justify enterprize and exertion, out of the beaten track of military service, it was that in which I found myself. Had I succeeded, I should have effected a junction with St. Leger, and been now before Albany. And I flatter myself, I need only mention those views, to shew, that, in hazarding this expedition, I had the soundest principles of military reasoning on my side, viz. that the advantages to be expected from success were, in a great degree, superior to the evils that could attend miscarriage. The secondary purposes, to which I alluded in the public letter, were to try the affections of the country, to complete the Provincial corps,

* The letter that follows, No. IX. is also materially referable to No. VIII.

corps, many recruits for which were unable to escape from their villages without a force to encourage and protect them, and to distract the councils of the enemy, by continuing their jealousy towards New-England.

Major-General Reidesel has pressed upon me repeatedly the mounting his dragoons; the men were animated with the same desire, and I conceived it a most favourable occasion to give into their ideas and solicitations, because, in exerting their zeal to fulfil their favourite purpose, they necessary would effect the greater purpose of my own. The rest of the troops were selected from such as would least weaken the solid strength of the army, in case of ill success; and I thought it expedient to make a little trial of the Provincials and Canadians, before I might have occasion for them in more important actions.

The original detachment could not have been made larger without opening roads, and other preparations of time, nor should I have thought it justifiable to expose the best troops to loss upon a collateral action. Had my instructions been followed, or could Mr. Breyman have marched at the rate of two miles an hour, any given twelve hours out of the two and thirty, success would probably have ensued; misfortune would certainly have been avoided. I did not think it prudent, in the present crisis, to mark these circumstances to the public so strongly as I do in confidence to your Lordship; but I rely, and I will venture to say I expect, because I think justice will warrant the expectation, that while, for the sake of public harmony, that necessary principle for conducting nice and laborious service, I colour the faults of the execution, your Lordship will, in your goodness, be my advocate to the King and to the world, in vindication of the plan.

The consequences of this affair, my Lord, have little effect upon the strength or spirits of the army; but the prospect of the campaign, in other respects, is far less

less prosperous than when I wrote last. In spite of St. Leger's victory, Fort Stanwix holds out obstinately. I am afraid the expectations of Sir J. Johnson greatly fail in the rising of the country. On this side I find daily reason to doubt the sincerity of the resolution of the professing loyalists. I have about 400, but not half of them armed who may be depended upon; the rest are trimmers merely actuated by interest. The great bulk of the country is undoubtedly with the Congress, in principle and zeal; and their measures are executed with a secrecy and dispatch that are not to be equalled. Wherever the King's forces point, militia, to the amount of three or four thousand, assemble in twenty-four hours; they bring with them their subsistence, &c. and, the alarm over, they return to their farms. The Hampshire Grants, in particular, a country unpeopled, and almost unknown the last war, now abounds in the most active and most rebellious race of the continent, and hangs like a gathering storm upon my left. In all parts, the industry and management, in driving cattle and removing corn, are indefatigable and certain; and it becomes impracticable to move without portable magazines. Another most embarrassing circumstance is the want of communication with Sir William Howe; of the messengers I have sent, I know of two being hanged, and am ignorant whether any of the rest arrived. The same fate has probably attended those dispatched by Sir William Howe; for only one letter is come to hand, informing me that his attention is for Pennsylvania; that Washington has detached Sullivan, with 2500 men, to Albany; that Putnam is in the Highlands with 4000 men. That, after my arrival at Albany, the movements of the enemy must guide mine; but that he wished the enemy might be driven out of the province, before any operation took place against the Connecticut; that Sir Henry Clinton remained in the command in the neighbourhood

bourhood of New-York, and would act as occurrences might direct.

No operation, my Lord, has yet been undertaken in my favour; the Highlands have not even been threatened. The consequence is, that Putnam has detached two brigades to Mr. Gates, who is now strongly posted near the mouth of the Mohawk-River, with an army superior to mine in troops of the Congress, and as many militia as he pleases. He is likewise far from being deficient in artillery, having received all the pieces that were landed from the French ships which got into Boston.

Had I a latitude in my orders, I should think it my duty to wait in this position, or perhaps as far back as Fort Edward, where my communication with Lake George would be perfectly secure, till some event happened to assist my movement forward; but my orders being positive, to "force a junction with Sir William Howe," I apprehend I am not at liberty to remain inactive longer than shall be necessary to collect twenty-five days provision, and to receive the reinforcement of the additional companies, the German drafts and recruits, now (and unfortunately only now) on Lake Champlain. The waiting the arrival of this reinforcement is of indispensable necessity; because, from the hour I pass the Hudson's river and proceed towards Albany, all safety of communication ceases. I must expect a large body of the enemy, from my left, will take post behind me. I have put out of the question the waiting longer than the time necessary for the foregoing purposes, because the attempt, then critical, depending on adventure and the fortune that often accompanies it, and hardly justifiable but by orders from the state, would afterwards be consummately desperate. I mean, my Lord, that, by moving soon, though I should meet with insurmountable difficulties to my progress, I shall at least have the chance of fighting my way

way back to Ticonderoga; but the season a little farther advanced, the distance encreased, and the march unavoidably tardy, because surrounded by enemies, a retreat might be shut by impenetrable bars, or the elements, and, at the same time, no possible means of existence remain in the country.

When I wrote more confidently, I little foresaw that I was to be left to pursue my way through such a tract of country, and hosts of foes, without any co-operation from New-York; nor did I then think the garrison of Ticonderoga would fall to my share alone; a dangerous experiment would it be to leave that post in weakness, and too heavy a drain it is upon the life-blood of my force to give it due strength.

I yet do not despond. — Should I succeed in forcing my way to Albany, and find that country in a state to subsist my army, I shall think no more of a retreat, but at the worst fortify there, and await Sir W. Howe's operations.

Whatever may be my fate, my Lord, I submit my actions to the breast of the King, and to the candid judgement of my profession, when all the motives become public; and I rest in the confidence, that, whatever decision may be passed upon my conduct, my good intent will not be questioned.

I cannot close so serious a letter, without expressing my fullest satisfaction in the behaviour and countenance of the troops, and my complete confidence, that, in all trials, they will do whatever can be expected from men devoted to their King and country.

I have the honour to be, &c.

J. BURGOYNE.

P. S. Upon re-perusing this letter, I am apprehensive that the manner in which I have expressed myself, respecting the reinforcement being only upon Lake Champlain,

Champlain, may seem ambiguous. — I do not mean to impute the delay to any thing but accidents, nor do I mean to contest Sir Guy Carleton's reasoning, upon not complying with my requisitions to garrison Ticonderoga; I only lament it.

Copy of a Letter from Sir William Howe to Lieutenant-General Burgoyne, dated New-York, July the 17th, 1777.

No. X.

DEAR SIR,

I HAVE received yours of the second instant on the 15th; have since heard from the rebel army of your being in possession of Ticonderoga, *which is a great event, carried without loss*. I have received your two letters, *viz.* from Plymouth and Quebec, your last of the 14th May, and shall observe the contents. There is a report of a messenger of yours to me having been taken, and the letter discovered in a double wooden canteen: you will know if it was of any consequence; nothing of it has transpired to us. I will observe the *same rules* in writing to you as you propose in your letters to me. Washington is waiting our motions here, and has detached Sullivan, with about 2500 men, as I learn, to Albany. My intention is for Pennsylvania, where I expect to meet Washington; but, if he goes to the northward, contrary to my expectations, and you can keep him at bay, be assured I shall soon be after him to relieve you.

After your arrival at Albany, the movements of the enemy will guide yours; but my wishes are, that the enemy be driven out of this province before any operation takes place in Connecticut. Sir Henry Clinton remains in the command here, and will act as occurrences may direct. Putnam is in the highlands, with about 4000 men. Success be ever with you.

Yours, &c. WILLIAM HOWE.

D

Sir

Second
No. X.

*Sir Guy Carleton's Letter.**

S I R,

Quebec, November 12, 1777.

I received your letter of the 20th of October, with your public dispatches, by Captain Craig, the 5th instant, and heartily condole with you upon the very disagreeable accounts they contain; all which I sincerely lamented, both on the public account and your own.

This unfortunate event, it is to be hoped, will in future prevent ministers from pretending to direct operations of war, in a country at three thousand miles distance, of which they have so little knowledge as not to be able to distinguish between good, bad, or interested, advices, or to give positive orders in matters, which, from their nature, are ever upon the change; so that the expedience or propriety of a measure, at one moment, may be totally inexpedient or improper in the next.

Having given over all hopes of being relieved this fall, I determined upon sending home Captain Foy, to furnish his majesty's confidential servants, and my successor, with the best information, in my power, of the state of affairs in this province, that they may form the better judgement of what they have to do.

I am, &c.

Army from Canada under Lieutenant-General Burgoyne.

No. XI.

Total Rank and File, 1st of July, 1777. [Sick included.]

British.						British.					Brought over	2660
9th regiment	—	—	—	—	542	53d	—	—	—	—	—	537
20th	—	—	—	—	528	62d	—	—	—	—	—	541
21st	—	—	—	—	538	Grenadiers and light-infantry com-						
24th	—	—	—	—	528	ppanies from the 29th, 31st, and						
47th	—	—	—	—	524	34th, regiments	—	—	—	—	—	329
					Carried over							Carried over
					2660							4067

* This letter, which was never printed before, only regards the view of the evidence, towards the beginning.

A P P E N D I X.

Brought over 4067
Left in Canada out of the above 343

British. Total 3724
Germans, 1st July 3727
Left in Canada 711

For the campaign, Germans 3016

Regular troops. Total 6740
Garrison left out of the above at Ticonderoga.

British rank and file 462
German rank and file 448
910

To force a passage to Albany 5830

1st July, British artillery 257

German artillery 100

Bat men, servants, &c. in the above.

Recruits under Lieutenant Nutt 154

Canadians 148

Indians never more than 500

Before Septemb. fell off to 90
Provincials at most 682
1st Oct. no more than 456

In September the additional companies joined near Fort Miller, in all 300

Regulars killed, wounded, and prisoners, in the campaign, 1777.

British.	Kill.	Wo.	Pris.	Tot.
Officers	26	47	19	
Serjeants	15	33	14	
Drummers	3	5	6	
R. & File	207	549	449	1285
Germans.				
Officers	10	16	29	
Serjeants	12	28	59	
Drummers	1	8	18	
R. & File	141	225	575	941

First Application from Major-General Phillips, relative No. XII. to Horses. Dated Montreal, June 4, 1777.

S I R,

I TAKE the liberty of informing your Excellency, that there has yet been no arrangement made for marching the field-artillery by land, should the corps of troops upon an expedition under your command, in the course of the campaign, quit the lakes Champlain and George, and the rivers.

I have, upon the strictest information which could be procured, reason to believe, that neither carriages nor horses will be to be had nearer than Albany, should the route of your army be that way; and, even in that country, it will necessarily require a considerable time before any can be got; all which must necessarily delay the operations of the campaign, after the reduction of Ticonderoga. I therefore submit to your Excellency's consideration, whether horses, and such ammunition-carriages as may be wanted, should not be procured for the service of the campaign, for

A P P E N D I X.

the field-artillery attached to the corps of troops your Excellency is to command this campaign?

I have the honour to be, Sir,

With the greatest respect,

Your Excellency's most obedient

And most humble servant,

M. PHILLIPS, Major-General,

commanding the royal artillery in Canada.

His Excellency

Lieutenant-General Burgoyne.

Copy of a Letter to Major-General Phillips, respecting Horses. Dated Montreal, June 4, 1777.

SIR,

I HAVE the honour of your letter of this day's date, informing me that no arrangement has yet been made for moving the field-artillery by land; and that, upon the best information you can obtain, neither carriages nor horses can be procured on the other side Lake Champlain nearer than Albany.

In consequence of this representation, I have to request you, to give in your opinion upon the mode of procuring horses and carriages from this country, combining the considerations of dispatch, sufficiency, oeconomy towards government; and I wish to know the opinion as soon as possible.

I am, with truest regard, Sir,

Your obedient humble servant,

J. BURGOYNE, Lieutenant-General.

Major-General Phillips.

Extracts

Extracts of Letters from Major-General Phillips, &c.

*Extract of a Letter from Major-General Phillips to
Lieutenant-General Burgoyne.*

Montreal, June 5, 1777.

I HAVE the honour of your Excellency's letter to me of yesterday, in answer to one I wrote on the subject of the field-artillery being supplied with horses, &c. &c.

You are pleased, Sir, to order me to give an opinion upon the mode of procuring horses and carriages from this country; combining the consideration of dispatch, sufficiency, and oeconomy towards government.

There are but two modes of procuring horses for the service, supposing the country is not to furnish them upon corvées; the one is by purchasing of horses upon the account of government, the other by contract.

The first of these modes has always appeared, to me, difficult, uncertain, and full of openings for every species of imposition, and the expence uncertain. — Government must trust various people to buy horses; and, in this country, it will not be possible to procure any persons who will not immediately pursue the views of gaining money to themselves, with a consideration for the King's service. Add to this, that it will become such a charge, that many commissaries must be appointed, and various other officers of that sort, &c. which being a mixture of inspectors into the purchases of horses, and necessarily also at times the being purchasers, it will be difficult ever to ascertain the price, and seldom that the goodness of horses can be depended on.

I have seen, in my service, this mode attempted; but it has, to my knowledge, failed. I must allow,
D 3 that,

that, could it be carried into execution complete, it would be the cheapest for government: but, taking into consideration the various impositions which will arise, and that the setting out on a plan of this nature will require a very large sum of money, perhaps from 20,000l. to 30,000l. to be intrusted into various hands, I freely give it as my opinion that it is not a perfect plan. The contracting for a certain number of horses, at a fixed price for the hire by day, reduces the whole to a very simple, and therefore generally a certain, plan. It depends on the setting out, by making as cheap, as fair, and just, a bargain, on the part of government, as can be: And, being so made, that the military and civil officers do their duty, by attending to the receiving of horses only as they are fitting for service. The contractor has his interest so directly connected with fulfilling his contract, (as upon failure it ceases,) that he will exert all means to do it, and the care of government will be, that it be done honestly and completely.

I have thus obeyed your Excellency's orders, and given an opinion which I submit entirely to your consideration.

Extract of a Letter to Nathaniel Day, Esq. Commissary-General, &c. Dated Montreal, June 4th, 1777.

I BEG the favour of you to calculate what number of horses and carriages (supposing them such as are in common use in Canada) will be sufficient for conveying, by land, thirty days provision for 10,000 men, together with about 1000 gallons of rum; and you will please to make me your report as soon as possible.

Extract

*Extract of a Letter to Sir Guy Carleton.**Montreal, June 7, 1777.*

HAVING had the honour to represent to your Excellency the necessity of being provided with a certain number of horses and carriages for the artillery, victuals, and other indispensable purposes of the army, when it shall be obliged to quit the borders of the lakes and rivers; and having understood from your Excellency that such provision could not be made by the ordinary methods of *corvée*; and that, if proposed without compulsion upon the country, the effect would be precarious, dilatory, and expensive; I have the honour now to lay before your Excellency proposals for contracts for an expeditious supply of horses for the artillery, and 500 carts, with two horses each, for the other purposes.

I am too ignorant of the prices of the country to offer any judgement upon the reasonableness of these proposals; nor have I any long acquaintance with Mr. Jordan, or other motive for wishing him the preference, if other persons can be found equally capable, responsible, and expeditious. I have only thus far interfered, upon a conviction, (after considering the route the King's orders direct, and taking all possible methods of information upon the supply to be expected as we proceed,) that to depend upon the country altogether would be to hazard the expedition.

Your Excellency will observe, that, in order to save the public expence as much as possible, I have reduced this requisition much below what would be adequate for the service, and I mean to trust to the resources of the expedition for the rest: 500 carts will barely carry fourteen days provisions at a time, and Major-General Phillips means to demand as few horses as possible, subject to whatever future augmentations future services may require: the present number

wanted will be about 400; there will then remain unprovided for (for expeditious movement) the transport of bateaux from Lake George to Hudson's River, and the carriage of the tents of the army, and many other contingencies that I need not trouble your Excellency to point out to you.

Extract of a Letter to General Harvey.

Montreal, May 19, 1777.

YOU have permitted me, as formerly, to write to you confidentially. I take the first conveyance to renew a correspondence so pleasing and honourable to myself, and that may, in some cases, become beneficial to the public service. It shall never be employed but to convey truths, to do justice to facts and persons, and to secure myself in the continuance of an esteem so valuable to me as yours, against appearances and misrepresentations.

I have reason to be exceedingly satisfied with all that has been done, and with most things that are doing: exertions have been made during the winter, which was remarkably favourable, in all the departments, and preparations are very forward; those that have been committed to the directions of General Phillips have been executed with a diligence, precision, and foresight, that entitle him to the fullest praise. The troops are in a state of health almost unprecedented, and their spirits and general improvement are equally objects of great pleasure and promise. To this agreeable representation I have the happiness to add, that Sir Guy Carleton has received me, and the orders I brought, in a manner that, in my opinion, does infinite honour to his public and private character.

That he should have wished for the lead in active and important military operations is very natural. That he thinks he has some cause of resentment for the
general

general tenor of treatment he has received from some of the ministers is discernible; but neither his disappointment nor his personal feelings operate against his duty; and I am convinced he means to forward the King's measures, entrusted to my hands, with all the zeal he could have employed had they rested in his own.

My intention is, during my advance to Ticonderoga, and siege of that post, (for a siege I apprehend it must be,) to give all possible jealousy on the side of Connecticut. If I can, by manœuvre, make them suspect that, after the reduction of Ticonderoga, my views are pointed that way, it may make the Connecticut forces very cautious of leaving their own frontiers, and much facilitate my progress to Albany. I mention this intention only to Lord George and yourself, and I do it lest, from any intelligence of my motions that may reach England indirectly, it should be supposed I have suffered myself to be diverted from the main object of my orders. The King and his Majesty's ministers may rest assured, that, whatever demonstrations I may endeavour to impose upon the enemy, I shall really make no movement that can procrastinate my progress to Albany.

One thing more occurs. I had the surprise and mortification to find a paper handed about at Montreal, publishing the whole design of the campaign, almost as accurately as if it had been copied from the Secretary of State's letter. My own caution has been such, that not a man in my own family has been let into the secret. Sir Guy Carleton's, I am confident, has been equal; I am therefore led to doubt whether imprudence has not been committed from private letters from England, and wish you would ask my friend D'Oyley, to whom my very affectionate compliments, whether there is any person within the line of ministerial communication that he can suspect to be so unguarded?

It

It is not of great consequence here, except as far as regards St. Leger's expedition; but such a trick may be of most prejudicial consequence in other cases, and should be guarded against.

Extract of a Letter to General Harvey.

*Camp on the River Bouquet, near
Lake Champlain, June 22, 1777.*

I HAVE had to contend against wet weather that rendered the roads almost impracticable at the carrying places, and consequently the passage of the bateaux, &c. exceedingly dilatory; besides a great deal of contrary wind. Indeed, the combination of land and water movement, bad roads, inactivity, and sometimes disobedience in the country, and a thousand other difficulties and accidents, unknown in other services, disconcert all arrangements. I do not mention this upon my own account, as I do not hold myself responsible for delays within the province of Canada; but I mention it to do justice to others, who, I really think, have infinite merit in overcoming the obstructions we have met with, and who ought to be justified against some acquaintances of yours and mine, who travel across a map very fast, and are very free in their comments, when others, who have ten times their knowledge and resources, do not answer their predictions and expectations.

I have been exceedingly distressed in regard to the brigadiers of this army. Sir Guy Carleton, the day I took leave of him, put into my hands an extract of a letter from the Secretary of War, approving the appointment of those gentlemen, but observing, that whenever any of them should lead their brigades out of the province of Canada, in order to join the troops under General Howe, there would be a necessity for their command ceasing as brigadiers, &c.

Were

Were this to be put in execution, according to the letter of the order and the geographical limits of Canada, and supposing Major-General Phillips at the same time to be employed solely in the artillery, I should find myself at the head of an army to undertake a siege, and afterwards pursue objects of importance, and possibly of time, without a single intermediate British officer between the lieutenant-general, commanding *pro tempore* in chief, and a lieutenant-colonel. It would be preposterous and impertinent in me to say one word more to you, as an officer, upon the impossibility of methodising or conducting such an army with such a total deficiency of staff. Had Lord Barrington condescended to have communicated his intentions to me in London, I think I could have convinced him of the impropriety. As it is, I must conclude that the spirit of the order goes only to prevent those gentlemen bearing a higher rank and pay than senior lieutenant-colonels serving in the same army; and that therefore there can be no fault in keeping it dormant till the junction takes place. In other words, I look upon mine to be the Canada army till such time as I am in communication with General Howe, so as to make part of his force, and consequently, without measuring degrees north and south, that the arrangements made in Canada, and approved of by the King, remain in force till that time.

I am persuaded, my dear General, you will support me in this liberty, if such it is to be called, not only as the absolute order and method of the service depends upon it, but also to avoid to these gentlemen, who have really great merit, the vexation and the ridicule of being deprived of their rank and pay in the hour of that very service, with a view to which their appointment was originally made. I think I can answer, that, the junction made, and the reasons for reverting

to

to their former ranks become obvious, they will submit to his Majesty's pleasure without a murmur.

Extract of a Letter from Lieutenant-General Burgoyne to General Harvey.

Head-Quarters, Skenesborough, July 11, 1777.

THE mere compliment of service I have given to the troops in orders, and in the relation designed for the Gazette, is not doing them sufficient justice. It is a duty in me farther, through you, and I know I shall impose a pleasing task on you, to assure the King that their behaviour is as uniformly good in the camp as in action.

After what I have publicly mentioned of Fraser, I am sure I need not press you in his favour. I cannot but feel confident in the hope that his Majesty's grace will find its way through all obstacles to prevent so discouraging a circumstance as the return of this gallant officer to the mere duty of lieutenant-colonel, at the head of one battalion, after having given ascendancy to the King's troops, and done honour to his profession, by the most spirited actions in critical periods of two successive campaigns.

You will observe, Sir, both in the public letter and in the order of battle, which captain Gardner will put into your hands, that Major-General Phillips is occasionally employed separately from the strict line of his department. This does not proceed from inattention to the explanation of his Majesty's pleasure two years ago, but from absolute necessity. The staff being composed without any British major-general, Brigadier Fraser being posted where he is of infinite use, at the head of the advanced corps, the service would suffer in the most material degree if the talents of General Phillips were not suffered to extend beyond the limits of the artillery,

tillery, and I hold myself fully justified in continuing the great use of his assistance under this extension, by what I understand to be the signification of the King's pleasure to Sir Guy Carleton, viz. *That this measure must not be made a precedent, but not forbidding it during the present exigency.*

I flatter myself the King will be satisfied with the diligence used in taking the field, as well as with the subsequent operations; if not, my disappointment can only proceed from my own deficiency in stating the embarrassments I found, notwithstanding previous preparations and cordial assistances. Remote situations of the troops, currents, winds, roads, want of materials for caulking the vessels, inactivity and desertion of the Canadian corvées, were all against me. A great difficulty lay in providing horses and carriages for the bare transport of provisions and tents, when we should arrive at Fort George, or any other place where the army should have no resource of water-carriage. I found an active, and I think a reasonable, contractor, who supplied this necessity at a much cheaper rate than could have been done any other way. I inclose a copy of the contract to the treasury, to which I refer you. You will observe that I have limited the number to the mere indispensable purposes of provisions and tents, trusting to the country for the farther assistance of officers baggage and the other attirail of an army. Experience already shews me that I judged right in not trusting to the country for more; for, had this precaution been omitted, I should be bound fast to the spot where I am, or obliged to return by water to Ticonderoga.

I avow also to you my advice to General Carleton to grant commissions to two provincial battalions, to be raised from Albany and Charlotte County, by a Mr. Jessup and a Mr. Peters, upon condition that the commissions should not take place till two-thirds of the corps

corps should be effective; provincial corps, acting zealously in the King's cause, must have great impression upon public opinion, and will, besides, in fact, be of singular use to the ease and preservation of the regular troops.

Upon this principle, therefore, I have not hesitated farther to receive and to pay such loyalists as have come in with their arms since the success of Ticonderoga, and wish to be employed. Though I have not power to grant commissions, I post the officers, and form them into companies till the measure can be decided by those who have more authority.

I hope all these articles of expence will meet with the support of your opinion; and have only to add, that as no job shall be done by myself, so will I use all efforts to prevent such being done by others.

I am indispensably obliged to wait some time on this position, to clear roads and make bridges, which is great labour in this country, and to bring up a stock of provision, and also to give time to the gun-boats, battaux, and provision-vessels, to be put into Lake George, to scour that lake and secure the future route of the magazines. I propose to possess Fort Edward at the same time that the force is ready to move down the lake; by which means, if the enemy do not evacuate Fort George, the garrison must inevitably be caught. In the mean while I have ordered Reidesel to make roads, reconnoitre the country, and make all other possible feints of a march to the Connecticut, and, by some other measures, I hope to give alarms that way.

INSTRUC-

INSTRUCTIONS for Lieutenant-Colonel Baume, on a secret expedition to the Connecticut River.

[The erasures were made by General Burgoyne.*]

THE object of your expedition is to try the affections of the country, to disconcert the councils of the enemy, to mount the Reidesel's dragoons, to complete Peters's corps, and to obtain large supplies of cattle, horses, and carriages.

The several corps, of which the inclosed is a list, are to be under your command.

The troops must take no tents, and what little baggage is carried by officers must be on their own bat horses.

You are to proceed by the route from Batten Kill to Arlington, and take post there, so as to secure the pass from Manchester. You are to remain at Arlington till the detachment of the Provincials, under the command of Captain Sherwood, shall join you from the southward.

You are then to proceed to Manchester, where you will take post so as to secure the pass of the mountains on the road from Manchester to

Amendments made by General Burgoyne.

Rockingham;

* The erasures are printed in Italics, and the amendmets in the opposite column.

Amendments made by General Burgoyne.

Rockingham; hence you will detach the Indians and light troops to the northward, toward Otter Creek. On their return, and also receiving intelligence that no enemy is in force in the neighbourhood of Rockingham, (1) you will proceed by the road over the mountains to Rockingham, where you will take post. This will be the most distant part on the expedition. (2)

You are to remain there as long as necessary to fulfil the intention of the expedition from thence, (3) and you are afterwards to descend by the Connecticut River to Brattlebury, and from that place, by the quickest march, you are to return by the great road to Albany.

During your whole progress, your detachments are to have orders to bring in to you all horses fit to mount the dragoons under your command, or to serve as bat horses to the troops, they are likewise to bring in (4) saddles and bridles as can be found. (5)

Your parties are likewise to bring in waggons and other convenient carriages, with as many draft oxen as will be necessary to draw them, and all cattle fit for slaughter, (milch cows excepted,) which are to be left for the use of the inhabitants. Regular re-

(1) upon the Connecticut River,

(2) And must be proceeded upon with caution, as you will have the defile of the mountains behind you, which might make a retreat difficult; you must therefore endeavour to be well informed of the force of the enemy's militia in the neighbouring country.

Should you find it may with prudence be effected.

(3) while the Indians and light troops are detached up the river.

(4) together with as many

(5) The number of horses requisite, besides those necessary for mounting the regiment of dragoons, ought to be 1300. If you can bring more for the use of the army, it will be so much the better.

ceipts,

A P P E N D I X.

135

Amendments made by General Burgoyne.

ceipts, in the form hereto subjoined, are to be given, in all places where any of the above-mentioned articles are taken, to such persons as have remained in their habitations, and otherwise complied with the terms of General Burgoyne's manifesto; but no receipts to be given to such as are known to be acting in the service of the rebels. (6)

(6) *As you will have with you persons perfectly acquainted with the abilities of the country, it may perhaps be adviseable to tax the several districts with the portions of the several articles, and limit the hours for their delivery; and, should you find it necessary to move before such delivery can be made, hostages of the most respectable people should be taken, to secure their following you the ensuing day. All possible means are to be used to prevent plundering.*

As it is probable that Captain Sherwood, who is already detached to the southward and will join you at Arlington, will drive in a considerable quantity of cattle and horses to you, you will therefore send in this cattle to the army, with a proper detachment from Peters's corps to cover them, in order to disencumber yourself; but you must always keep the regiments of dragoons compact.

The dragoons themselves must ride, and take care of the horses of the regiment. Those horses

E

which

Amendments made by General Burgoyne.

which are destined for the use of the army must be tied together by strings of ten each, in order that one man may lead ten horses. You will give the unarmed men of Peters's corps to conduct them, and inhabitants whom you can trust. You must always take your camps in good position; but at the same time where there is pasture; and you must have a chain of centinels round your cattle and horses when grazing.

Colonel Skeene will be with you as much as possible, in order to assist you with his advice, to help you to distinguish the good subjects from the bad, to procure you the best intelligence of the enemy, and to choose those people who are to bring me the accounts of your progress and success.

When you find it necessary to halt for a day or two, you must always entrench the camp of the regiment of dragoons, in order never to risk an attack or affront from the enemy.

As you will return with the regiment of dragoons mounted, you must always have a detachment of Captain Fraser's or Peters's corps in front of the column, and the same in the rear, in order to prevent your falling into an ambuscade when you march through the woods.

You will use all possible means to make the country believe that the troops under

your

your command are the advanced corps of the army, and that it is intended to pass the Connecticut on the road to Boston. You will likewise have it insinuated, (7) that the main army from Albany is to be joined at Springfield by a corps of troops from Rhode-Island.

You will send off occasionally cattle or carriages, to prevent being too much incumbered; and will give me as frequent intelligence of your situation as possible.

It is highly probable that the corps under Mr. Warner, now supposed to be at Manchester, will retreat before you; but, should they, contrary to expectation, be able to collect in great force, and post themselves advantageously, it is left to your discretion to attack them or not; always bearing in mind, that your corps is too valuable to let any considerable loss be hazarded on this occasion.

Should any corps be moved from Mr. Arnold's main army, in order to intercept your retreat, you are to take as strong a post as the country will afford, and send the quickest intelligence to me; and you may depend on my making such a movement as shall put the enemy between two fires, or otherwise effectually sustain you.

It is imagined the progress of the whole of this expedi-

Amendments made by General Burgoyne.

(7) *insinuate,*

tion may be effected in about a fortnight; but every movement of it must depend upon your success in obtaining such supply of provisions as will enable you to subsist till your return to the army, in case you can get no more. (8)

All persons acting in committees, or any officers acting under the directions of Congress, either civil or military, are to be made prisoners.

Amendments made by General Burgoyne.

(8) *And, should not the army be able to reach Albany before your expedition should be completed, I will find means to send you notice of it, and give your route another direction.*

SIR,

Batten-Kill, 12th August, 1777.

I HAD the honour of acquainting your Excellency, by a man sent yesterday evening by Colonel Skeene to head-quarters, of the several corps under my command being encamped at Saratoga, as well as of my intention to proceed the next morning at five o'clock; the corps moved at that time, and marched a mile, when I received a letter from Brigadier General Fraser, signifying your Excellency's order to post the corps advantageously on Batten-Kill, till I should receive fresh instructions from your Excellency: the corps is now encamped at that place, and wait your Excellency's orders. I will not trouble you, Sir, with the various reports which spread, as they seem rather to be founded on the different interests and feelings of the people who occasion them.

I have the honour to be, most respectfully,

Your Excellency's most obedient

And humble servant,

F. BAUME.

The reinforcement of fifty chasseurs, which your Excellency was pleased to order, joined me last night at eleven o'clock.

General Burgoyne.

SIR,

Cambridge, 13th August, 1777.

SIR,

IN consequence of your Excellency's orders I moved this morning, at four o'clock, with the corps under my command; and, after a march of sixteen miles, arrived at Cambridge at four in the evening. On the road I received intelligence of forty or fifty of the rebels being left to guard some cattle. I immediately ordered thirty of the provincials and fifty savages to quicken their march, in hopes to surprise them. They took five prisoners in arms, who declared themselves to be in the service of the Congress; yet the enemy received advice of our approach, and abandoned the house they were posted in. The provincials and savages continued their march about a mile, when they fell in with a party of fifteen men, who fired upon our people, and immediately took to the woods with the greatest precipitation. The fire was quick on our side, but I cannot learn if the enemy sustained any loss. A private of Captain Sherwood's company was the only one who was slightly wounded in the thigh. From the many people who came from Bennington, they agree that the number of the enemy amounted to 1800. I will be particularly careful, on my approach at that place, to be fully informed of their strength and situation, and take the precautions necessary to fulfil both the orders and instructions of your Excellency.

I cannot ascertain the number of cattle, carts, and waggons, taken here, as they have not been as yet collected. A few horses have been also brought in, but am sorry to acquaint your Excellency that the savages either destroy or drive away what is not paid for with ready money. If your Excellency would allow me to purchase the horses from the savages, stipulating the price, I think they might be procured cheap, otherwise they ruin all they meet with, their officers and interpreters not having it in their power to controul them.

them. Your Excellency may depend on hearing how I proceed at Bennington, and of my success there: praying my respectful compliments to General Reidesel,

I am, most respectfully, Sir,

Your most obedient and humble servant,

F. BAUME.

P. S. The names of the men taken in arms are as follow:

George Duncan,	John Bell,
David Slarrow,	Matt. Bell.
Samuel Bell,	

Hugh More, a noted rebel, surrendered himself yesterday evening.

The express left Cambridge at four o'clock, on the morning of the 14th of August.

Sancoick, 14th August, 1777, 9 o'Clock.

SIR,

I HAVE the honour to inform your Excellency, that I arrived here at eight in the morning, having had intelligence of a party of the enemy being in possession of a mill, which they abandoned at our approach; but, in their usual way, fired from the bushes, and took their road to Bennington; a savage was slightly wounded; they broke down the bridge, which has retarded our march above an hour; they left in the mill about 78 barrels of very fine flour, 1000 bushels of wheat, 20 barrels of salt, and about 1000l. worth of pearl and pot ash. I have ordered thirty provincials and an officer to guard the provision and the pass of the bridge. By five prisoners taken here, they agree that 1500 to 1800 men are at Bennington; but are supposed to leave it on our approach. I will proceed so far to-day as to fall on the enemy to-morrow early, and make such disposition

position as I think necessary from the intelligence I may receive. People are flocking in hourly, but want to be armed: the savages cannot be controuled, they ruin and take every thing they please.

I am your Excellency's

Most obedient humble servant,

F. BAUME.

Beg your Excellency to pardon the hurry of this letter, it is written on the head of a barrel.

General Burgoyne.

Instructions to Colonel Skeene, upon the expedition to Bennington.

SIR,

I REQUEST the favour of you to proceed with Lieutenant-Colonel Baume, upon an expedition of which he has the command, and which will march this evening or to-morrow morning.

The objects of his orders are to try the affections of the country; to disconcert the councils of the enemy; to mount the regiment of Reidesel's dragoons; to complete Lieutenant-Colonel Peters's corps; and to procure a large supply of horses for the use of the troops, together with cattle and carriages.

The route marked for this expedition is to Arlington and Manchester; and, in case it should be found that the enemy is not in too great force upon the Connecticut-river, it is intended to pass the mountains to Rockingham, and descend the river from thence to Brattlebury. Some hours before the corps marches for Arlington, Colonel Peters, with all his men, are to set forward for Bennington, and afterwards are to join at Arlington.

A P P E N D I X.

Receipts are ordered to be given for all horses and cattle taken from the country.

Lieutenant-Colonel Baume is directed to communicate to you the rest of his instructions, and to consult with you upon all matters of intelligence, negotiation with the inhabitants, roads, and other means depending upon a knowledge of the country, for carrying his instructions into execution.

I rely upon your zeal and activity for the fullest assistance, particularly in having it understood in all the country through which you pass, that the corps of Lieutenant-Colonel Baume is the first detachment of the advanced guard, and that the whole army is proceeding to Boston, expecting to be joined upon the route by the army from Rhode-Island.

I need not recommend to you to continue the requisites of the service with every principle of humanity in the mode of obtaining them; and it may be proper to inform the country, that the means to prevent their horses being taken for the future, will be to resist the enemy when they shall presume to force them, and drive them voluntarily to my camp.

I have the honour to be, &c. &c. &c.

J. BURGOYNE.

CAL.

CALCULATIONS of the Number of Carts that will carry Provisions for the following Number of Men.

Number of Men for	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	30	60	90
Day	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days
10000 Men, Carts	38	75	113	150	188	226	263	300	338	375	413	452	490	526	564	600	638	678	716	750	1125	2250	3375
5000 Men, Carts	19	38	57	75	94	113	132	150	169	188	207	226	245	263	282	300	319	339	358	375	563	1125	1688
4000 Men, Carts	15	30	45	60	75	90	105	120	135	150	165	180	195	210	225	240	255	270	285	300	450	900	1350
3000 Men, Carts	12	23	34	45	57	68	79	90	102	113	124	135	147	158	169	180	192	203	214	225	338	676	1014
2000 Men, Carts	8	15	23	30	38	45	53	61	68	75	83	90	98	105	113	120	128	135	143	150	225	450	675
1000 Men, Carts	4	8	12	15	19	23	27	31	35	39	42	45	49	53	57	60	64	68	72	75	113	226	339
500 Men, Carts	2	4	6	8	10	12	14	16	18	20	21	23	25	27	29	30	32	34	36	38	57	113	171

The above Table is made, allowing 3 pounds weight to the Ration and 800 pounds to the Cart-load.

NATHANIEL DAY, Commissary-General.

Extract of a Letter from Lieutenant General Burgoyne to Sir Guy Carleton, dated Head-Quarters, at Skenesborough House, 11th July, 1777.

I REQUEST your Excellency to take into consideration the expediency of supplying, from Canada, a garrison for Ticonderoga.

My communication will widen so much as I proceed, the drain upon the army for posts will be so considerable, not to speak of detachments and safeguards to protect and to awe the country, that, if that first diminution be not replaced, my effective strength may become inadequate to the services intended. My present intelligence is, that Putnam is collecting an army to oppose me at Saratoga. Fort Edward is also talked of to sustain a siege.

Your Excellency will, I am sure, agree with me, that Ticonderoga, or some other fortified post on the south part of Lake Champlain, ought to be considered on the frontiers of the province of Canada. I am aware of the difficulties that arise from the manner in which the Secretary of State's orders are penned: but I submit to your Excellency, whether, under the principle laid down in the beginning of the order, and afterwards repeated, *that 3000 men were held sufficient for the defence of that province*, you would not be justified in sparing, for the purpose of this garrison, the overplus of the 3000 that may remain after completing my army.

And, notwithstanding the corps for the Canada service are precisely named by the Secretary of State, I would farther submit whether, upon my pressing requisition, the garrison might not justifiably be furnished by detachment, even though there were no overplus, under the following words of the order: *after having secured to him* (Lieutenant General Burgoyne)

goyne) every assistance which it is in your power to afford and procure. Your Excellency's zeal for the service and favour towards me will be better interpreters for the latitude I propose than any thing I can farther suggest. My present purpose, Sir, is to get a sufficient number of gun-boats upon the Lake George to scour that lake as expeditiously as possible, to support them with a proper force to attack Fort George on that side, while, with the main of the army, as soon as refreshed and supplied, I attack Fort Edward from hence, and thereby cut off the communication from Albany to Fort George, and consequently prevent the succour or retreat of that garrison.

Extract of a Letter from Lieutenant General Burgoyne to Sir Guy Carleton. Head-Quarters, near Fort Anne, July 29th, 1777.

THE construction your Excellency puts upon the orders of the Secretary of State is too full and decisive for me to presume to trouble you farther upon the subject of a garrison for Ticonderoga from Canada. I must do as well as I can; but I am sure your Excellency, as a soldier, will think my situation a little difficult. A breach into my communication must either ruin my army entirely, or oblige me to return in force to restore, which might be the loss of the campaign. To prevent a breach, Ticonderoga and Fort George must be in very respectable strength, and I must besides have posts at Fort Edward and other carrying-places. These drains, added to common accidents and losses of service, will necessarily render me very inferior in point of numbers to the enemy, whom I must expect always to find strongly posted. I ask pardon for dwelling so much upon this subject, and have only to add my request to your Excellency, to forward

forward the additional companies as expeditiously as may be.

Copy of Lieutenant General Burgoyne's Letter to Colonel Baume.

Near Saratoga, August 14, 1777. Seven at night.

SIR,
THE accounts you have sent me are very satisfactory, and I have no doubt of every part of your proceeding continuing to be the same.

I beg the favour of you to report, whether the road you have passed is practicable; and, if so, if it is convenient for a considerable corps with cannon.

Should you find the enemy too strongly posted at Bennington, and maintaining such a countenance as may make an attack imprudent, I wish you to take a post where you can maintain yourself till you receive an answer from me; and I will either support you in force or withdraw you.

You will please to send off to my camp, as soon as you can, waggons and draft cattle, and likewise such other cattle as are not necessary for your subsistence.

Let the waggons and carts bring off all the flour and wheat they can, that you do not retain for the same purpose. This transport must be under the charge of a commission officer.

I will write you at full tomorrow in regard to getting the horses out of the hands of the savages.

In the mean time, any you can collect from them, fit to mount the regiments, at a low price, shall be allowed.

I am, with great esteem, Sir,

Your most obedient humble servant,

J. BURGOYNE.

Colonel

Colonel St. Leger's Account of Occurrences at Fort Stan-
wix. No. XIII.

A MINUTE detail of every operation since my leaving La Chine, with the detachment entrusted to my care, your Excellency will permit me to reserve to a time of less hurry and mortification than the present, while I enter into the interesting scene before Fort Stanwix, which I invested the 3d of August, having previously pushed forward Lieutenant Bird, of the King's regiment, with thirty of the King's troops, and two hundred Indians, under the direction of Captains Hare and Wilson and the chiefs Joseph and Bull, to seize fast hold of the lower landing-place, and thereby cut off the enemy's communication with the lower country. — This was done with great address by the lieutenant, though not attended with the effect I had promised myself, occasioned by the slackness of the the Messasagoes: the brigade of provision and ammunition boats I had intelligence of being arrived and disembarked before this party had taken post.

The fourth and fifth were employed in making arrangements for opening Wood Creek, (which the enemy, with the indefatigable labour of one hundred and fifty men for fourteen days, had most effectually choked up,) and the making a temporary road from Pine Ridges upon Fish Creek, sixteen miles from the fort, for a present supply of provisions and the transport of our artillery. The first was effected by the diligence and zeal of Captain Bouville, assisted by Captain Herkimer of the Indian department, with one hundred and ten men, in nine days; while Lieutenant Lundy, acting as assistant quarter-master general, had rendered the road, in the worst of weather, sufficiently practicable to pass the whole artillery and stores, with seven days provision, in two days.

On

On the 5th, in the evening, intelligence arrived, by my discovering-parties on the Mohawk River, that a reinforcement of eight hundred militia, conducted by General Herkimer, were on their march to relieve the garrison, and were actually at that instant at Oriska, an Indian settlement twelve miles from the fort. The garrison being apprised of their march by four men, who were seen to enter the fort in the morning through what was thought an impenetrable swamp, I did not think it prudent to wait for them, and thereby subject myself to be attacked by a sally from the garrison in the rear, while the reinforcement employed me in front. I therefore determined to attack them on the march, either openly or covertly, as circumstances should offer. At this time I had not two hundred and fifty of the King's troops in camp, the various and extensive operations I was under an absolute necessity of entering into having employed the rest, and therefore could not send above eighty white men, rangers and troops included, with the whole corps of Indians. Sir John Johnson put himself at the head of this party, and began his march that evening at five o'clock, and met the rebel corps at the same hour the next morning. The impetuosity of the Indians is not to be described on the sight of the enemy (forgetting the judicious disposition formed by Sir John, and agreed to by themselves, which was, to suffer the attack to begin with the troops in front, while they should be on both flanks and rear): they rushed in, hatchet in hand, and thereby gave the enemy's rear an opportunity to escape. In relation to the victory, it was equally complete as if the whole had fallen; nay more so, as the two hundred who escaped only served to spread the panic wider. But it was not so with the Indians: their loss was great (I must be understood Indian computation; being only about thirty killed, and the like number wounded, and in that number some

some of their favourite chiefs and confidential warriors were slain). On the enemy's side, almost all their principal leaders were slain. General Herkimer has since died of his wounds. It is proper to mention, that the four men, detached with intelligence of the march of the reinforcement, set out the evening before the action, and consequently the enemy could have no account of the defeat, and were in possession only of the time appointed for their arrival; at which, as I suspected, they made a sally, with two hundred and fifty men, towards Lieutenant Bird's post, to facilitate the entrance of the relieving corps, or bring on a general engagement with every advantage they could wish.

Captain Hoyes was immediately detached to cut in upon their rear, while they engaged the lieutenant. Immediately upon the departure of Captain Hoyes, having learned that Lieutenant Bird, misled by the information of a cowardly Indian that Sir John was pressed, had quitted his post to march to his assistance, I marched the detachment of the King's regiment in support of Captain Hoyes, by a road in sight of the garrison, which, with executive fire from his party, immediately drove the enemy into the fort, without any farther advantage than frightening some squaws, and pilfering the packs of the warriors which they left behind them. After this affair was over, orders were immediately given to complete a two-gun battery, and mortar-beds, with three strong redoubts in the rear, to enable me, in case of another attempt to relieve the garrison by their regimented troops, to march out a larger body of the King's troops.

Captain Lernout was sent with 110 men to the lower landing place, where he established himself with great judgement and strength, having an enclosed battery of a three-pounder opposed to any sally from the fort, and another to the side of the country where a relief

relief must approach ; and the body of his camp deeply intrenched and abbatished.

When, by the unabating labour of officers and men, (the smallness of our numbers never admitting of a relief, or above three hours cessation for sleep or cooking,) the batteries and redoubts were finished, and new cheeks and axle-trees made for the six-pounders, those that were sent being reported rotten and unserviceable.

It was found that our cannon had not the least effect upon the sod-work of the fort, and that our royals had only the power of teasing, as a six-inch plank was a sufficient security for their powder-magazine, as we learnt from the deserters. At this time, Lieutenant Glenie of the artillery, whom I had appointed to act as assistant-engineer, proposed a conversion of the royals (if I may use the expression) into howitzers. The ingenuity and feasibility of this measure striking me very strongly, the business was set about immediately, and soon executed ; when it was found that nothing prevented their operating with the desired effect but the distance, their chambers being too small to hold a sufficiency of powder. There was nothing now to be done but to approach the town by sap, to such a distance that the rampart might be brought within their portice, at the same time all materials were preparing to run a mine under their most formidable bastion.

In the midst of these operations, intelligence was brought in, by our scouts, of a second corps of 1000 men being on their march. The same zeal no longer animated the Indians ; they complained of our thinness of troops, and their former losses. I immediately called a council of the chiefs ; encouraged them as much as I could ; promised to lead them on myself, and bring into the field 300 of the best troops. They listened to this, and promised to follow me, and agreed

agreed that I should reconnoitre the ground properest for the field of battle, the next morning, accompanied by some of their chief warriors, to settle the plan of operations. When upon the ground appointed for the field of battle, scouts came in with the account of the first number, swelled to 2000; immediately after, a third, that General Burgoyne's army was cut to pieces, and that Arnold was advancing, by rapid and forced marches, with 3000 men. It was at this moment I began to suspect cowardice in some, and treason in others: however, I returned to camp, not without hopes, with the assistance of my gallant coadjutor, Sir John Johnson, and the influence of the superintending colonels, Claus and Butler, of inducing them to meet the enemy. A council, according to their custom, was called, to know their resolutions; before the breaking up of which I learned that 200 were already decamped. In about an hour they insisted that I should retreat, or they would be obliged to abandon me. I had no other party to take; (and a hard party it was, to troops who could do nothing without them, to yield to their resolves;) and therefore proposed to retire at night, sending on before my sick, wounded, artillery, &c. down the Wood-Creek, covering them by our line of march.

This did not fall in with their views; which were no less than treacherously committing ravage upon their friends, as they had lost the opportunity of doing it upon their enemies. To effect this, they artfully caused messengers to come in, one after the other, with accounts of the nearer approaches of the rebels; one and the last affirmed, that they were within two miles of Captain Lernout's post. Not giving entire credit to this, and keeping to my resolution of retiring by night, they grew furious and abandoned; seized upon the officers liquor and clothes, in spite of the efforts of their servants, and became more formidable

dable than the enemy we had to expect. I now thought it time to call in Captain Lernoult's post, retiring with the troops in camp to the ruined fort, called William, in the front of the garrison, not only to wait the enemy if they thought proper to sally, but to protect the boats from the fury of the savages, having sent forward Captain Hoyes, with his detachment, with one piece of cannon, to the place where Bull-Fort stood, to receive the troops who waited the arrival of Captain Lernoult. Most of the boats were escorted that night beyond Canada-Creek, where no danger was to be apprehended from the enemy. The creek at this place, bending from the road, has a deep cedar swartip between. Every attention was now turned to the mouth of the creek; which the enemy might have possessed themselves of by a rapid march by the Onoyda-Castle. At this place the whole of the little army arrived by twelve o'clock at night, and took post in such a manner as to have no fears of anything the enemy could do. Here we remained till three o'clock next morning; when the boats which could come up the creek arrived, or rather that the rascally part of all nations of the Indians would suffer to come up; and proceeded across Lake Onoyda to the ruined fort of Brereton, where I learned that some boats were still labouring down the creek, after being lightened of the best part of their freight, by the Mes-fagoes. Captain Lernoult proposed, with a boat full of armed men, to repass the lake that night, to relieve them from their labour, and supply them with provision. This transaction does as much honour to the humanity, as to the gallantry, of this valuable officer.

On my arrival at the Onondago Falls, I received an answer to my letter from your Excellency, which shewed, in the clearest light, the scenes of treachery that had been practised upon me. The messenger had

heard, indeed, on his way, that they were collecting the same kind of rabble as before; but that there was not an enemy within forty miles of Fort Stanwix.

Soon after my arrival here, I was joined by Captain Lernoult, with the men and boats he had been in search of. I mean immediately to send off, for the use of the upper garrison, all the overplus provision I shall have, after keeping a sufficiency to carry my detachment down; which I mean to do, with every expedition in my power, the moment this business is effected; for which purpose I have ordered here the snow. The sloop is already gone from this, with her full lading.

Officers from each corps are sent to Montreal to procure necessaries for the men, who are in a most deplorable situation from the plunder of the savages, that no time may be lost to join your army.

I have the honour to be, with the greatest respect,

Sir, your Excellency's most obedient

And most faithful servant,

Oswego, Aug. 27,

BARRY ST. LEGER.

1777.

His Excellency General Burgoyne.

Extract of a Letter from Lieutenant-General Burgoyne to No. XIV.

Lord George Germaine, dated at Albany, 20th October, 1777.

MY LORD,

NO possibility of communication with your Lordship having existed since the beginning of September, (at which time my last dispatch was sent away,) I have to report to your Lordship the proceedings of the army under my command from that period; a series of hard toil, incessant effort, stubborn action; till dis-

abled in the collateral branches of the army by the total defection of the Indians; the desertion or timidity of the Canadians and Provincials, some individuals excepted; disappointed in the last hope of any timely co-operation from other armies; the regular troops reduced by losses from the best part to 3500 fighting-men, not 2000 of which were British; only three days provisions upon short allowance in store; invested by an army of 16,000 men, and no apparent means of retreat remaining; I called into council all the generals, field-officers, and captains commanding corps, and by their unanimous concurrence and advice I was induced to open a treaty with Major-General Gates.

Your Lordship will see, by the papers transmitted herewith, the disagreeable prospect which attended the first overtures; and, when the terms concluded are compared, I trust that the spirit of the councils I have mentioned, which under such circumstances dictated instead of submitting, will not be refused a share of credit.

Before I enter upon the detail of these events, I think it a duty of justice, my Lord, to take upon myself the measure of having passed the Hudson's River, in order to force a passage to Albany. I did not think myself authorised to call any men into council, when the peremptory tenor of my orders and the season of the year admitted no alternative.

Provisions for about thirty days having been brought forward, the other necessary stores prepared, and the bridge of boats completed, the army passed the Hudson's River on the 13th and 14th of September, and encamped on the heights and in the plain of Saratoga, the enemy being then in the neighbourhood of Stillwater.

15th. The whole army made a movement forward, and encamped in a good position in a place called Dovacote.

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It being found that there were several bridges to 16th. repair, that work was begun under cover of strong detachments, and the same opportunity was taken to reconnoitre the country.

The army renewed their march, repaired other 17th. bridges, and encamped upon advantageous ground about four miles from the enemy.

The enemy appeared in considerable force, to ob- 18th. struct the farther repair of bridges, and with a view, as it was conceived, to draw on an action where artillery could not be employed. A small loss was sustained in skirmishing; but the work of the bridges was effected.

The passages of a great ravine, and other roads to- Sept. 19. wards the enemy, having been reconnoitred, the army advanced in the following order.

Brigadier-General Fraser's corps, sustained by Lieutenant-Colonel Breyman's corps, made a circuit, in order to pass the ravine commodiously, without quitting the heights, and afterwards to cover the march of the line to the right. These corps moved in three columns, and had the Indians, Canadians, and Provincials, upon their fronts and flanks. The British line, led by me in person, passed the ravine in a direct line south, and formed in order of battle as fast as they gained the summit, where they waited to give time to Fraser's corps to make the circuit, and to enable the left wing and artillery (which, under the commands of Major-General Phillips and Major-General Reidesel, kept the great road and meadows near the river in two columns, and had bridges to repair) to be equally ready to proceed. The 47th regiment guarded the bateaux.

The signal-guns, which had been previously settled to give notice of all the columns being ready to advance, having been fired between one and two o'clock, the march continued. The scouts and flankers of the

column of the British line were soon fired upon from small parties, but with no effect. After about an hour's march, the picquets, which made the advanced guard of that column, were attacked in force, and obliged to give ground; but they soon rallied and were sustained.

On the first opening of the wood I formed the troops. A few cannon-shot dislodged the enemy, at a house from whence the picquets had been attacked; and Brigadier-General Fraser's corps had arrived with such precision, in point of time, as to be found upon a very advantageous height on the right of the British.

In the mean time, the enemy, not acquainted with the combination of the march, had moved in great force out of their intrenchments, with a view of turning the line upon the right; and, being checked by the disposition of Brigadier-General Fraser, counter-marched, in order to direct their great effort to the left of the British.

From the nature of the country, movements of this sort, however near, may be effected without a possibility of their being discovered.

About three o'clock the action began by a very vigorous attack on the British line, and continued with great obstinacy till after sunset. The enemy being continually supplied with fresh troops, the stress lay upon the 20th, 21st, and 62d, regiments, most parts of which were engaged near four hours without intermission; the 9th had been ordered early in the day to form in reserve.

The grenadiers and 24th regiment were some part of the time brought into action, as were part of the light infantry; and all these corps charged with their usual spirit.

The riflemen, and other parts of Breyman's corps, were also of service; but it was not thought advisable to evacuate the heights, where Brigadier-General Fraser

Frazer was posted, otherwise than partially and occasionally.

Major-General Phillips, upon first hearing the firing, found his way through a difficult part of the wood to the scene of action, and brought up with him Major Williams and four pieces of artillery; and from that moment I stood indebted to that gallant and judicious second for incessant and most material services; particularly for restoring the action in a point which was critically pressed by a great superiority of fire, and to which he led up the 20th regiment at the utmost personal hazard.

Major-General Riedesel exerted himself to bring up a part of the left wing, and arrived in time to charge the enemy with regularity and bravery.

Just as the light closed, the enemy gave ground on all sides, and left us completely masters of the field of battle, with the loss of about five hundred men on their side, and, as supposed, thrice that number wounded.

The darkness preventing a pursuit, the prisoners were few.

The behaviour of the officers and men in general was exemplary. Brigadier-General Frazer took his position in the beginning of the day, with great judgement, and sustained the action with constant presence of mind and vigour. Brigadier-General Hamilton was the whole time engaged, and acquitted himself with great honour, activity, and good conduct.

The artillery in general was distinguished, and the brigade under Captain Jones, who was killed in the action, was conspicuously so.

The army lay upon their arms the night of the 19th, and the next day took a position nearly within cannon-shot of the enemy, fortifying their right, and extending their left to the brow of the heights, so as to cover the meadows through which the great river runs,

and where their bateaux and hospitals were placed. The 47th regiment, the regiment of Hesse Hanau, and a corps of provincials, encamped in the meadows as a farther security.

It was soon found that no fruits, honour excepted, were attained by the preceding victory, the enemy working with redoubled ardour to strengthen their left: their right was already unattackable.

On our side it became expedient to erect strong redoubts for the protection of the magazines and hospital, not only against a sudden attack, but also for their security in case of a march, to turn the enemy's flank.

Sept. 21. A messenger arrived from Sir Harry Clinton with a letter in cipher, informing me of his intention to attack Fort Montgomery in about ten days from the date of his letter, which was the 12th instant. This was the only messenger of many that I apprehend were dispatched by Sir William Howe, and he that had reached my camp since the beginning of August. He was sent back the same night to inform Sir Harry of my situation, and of the necessity of a diversion to oblige General Gates to detach from his army, and my intention to wait favourable events in that position, if possible, to the 12th of October.

In the course of the two following days, two officers in disguise, and other confidential persons, were dispatched, by different routes, with verbal messages to the same effect; and I continued fortifying my camp and watching the enemy, whose numbers increased every day.

I thought it advisable on the 3d of October to diminish the soldiers' ration, in order to lengthen out the provisions; to which measure the army submitted with the utmost cheerfulness. The difficulties of a retreat to Canada were clearly foreseen; as was the dilemma, should the retreat be effected, of leaving at liberty

liberty such an army as General Gates's to operate against Sir William Howe.

This consideration operated forcibly to determine me to abide events as long as possible, and I reasoned thus. The expedition I commanded was evidently meant at first to be *hazarded*. Circumstances might require it should be *devoted*. A critical junction of Mr. Gates's force with Mr. Washington might possibly decide the fate of the war; the failure of my junction with Sir Harry Clinton, or the loss of my retreat to Canada, could only be a partial misfortune.

In this situation things continued till the 7th, when no intelligence having been received of the expected co-operation, and four or five days for our limited stay in the camp only remained, it was judged adviseable to make a movement to the enemy's left, not only to discover whether there were any possible means of forcing a passage, should it be necessary to advance, or of dislodging him for the convenience of a retreat, but also to cover a forage of the army, which was in the greatest distress on account of the scarcity.

A detachment of fifteen hundred regular troops, with two twelve pounders, two howitzers, and six six-pounders, were ordered to move, and were commanded by myself, having with me Major-General Phillips, Major-General Reidesel, and Brigadier-General Fraser.

The guard of the camp upon the heights was left to Brigadier-General Hamilton and Specht; the redoubts and the plain to Brigadier-General Gall; and, as the force of the enemy immediately in their front consisted of more than double their numbers, it was not possible to augment the corps that marched beyond the numbers above stated.

I formed the troops within three-quarters of a mile of the enemy's left; and Captain Fraser's rangers, with Indians and Provincials, had orders to go by secret paths

paths in the woods to gain the enemy's rear, and by shewing themselves there to keep them in a check.

The farther operations intended were prevented by a very sudden and rapid attack of the enemy on our left, where the British grenadiers were posted to support the left wing of the line. Major Acland, at the head of them, sustained the attack with great resolution; but the enemy's great numbers enabling them in a few minutes to extend the attack along the front of the Germans, which were immediately on the right of the grenadiers, no part of that body could be removed to make a second line to the flank, where the stress of the fire lay. The right was at this time engaged, but it was soon observed that the enemy were marching a large corps round their flank, to endeavour cutting off their retreat. The light infantry and part of the 24th regiment, which were at that post, were therefore ordered to form a second line, and to secure the return of the troops into camp. While this movement was proceeding, the enemy pushed a fresh and strong reinforcement to renew the action upon the left; which, overpowered by a great superiority, gave way, and the light infantry and 24th regiment were obliged to make a quick movement to save that point from being entirely carried; in doing which, Brigadier-General Frazer was mortally wounded.

The danger to which the lines were exposed, becoming at this moment of the most serious nature, orders were given to Major-General Phillips and Reidesel to cover the retreat, while such troops as were most ready for the purpose returned for the defence of them. The troops retreated, hard pressed, but in good order; they were obliged to leave six pieces of cannon, all the horses having been killed; and most of the artillery-men, who had behaved as usual with the most brave under the command of Major Williams, being either killed or wounded.

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The troops had scarcely entered the camp when it was stormed with great fury, the enemy rushing to the lines under a severe fire of grape-shot and small arms. The post of the light infantry, under Lord Balcarras, assisted by some of the line, which threw themselves, by order, into the intrenchments, was defended with great spirit; and the enemy, led on by General Arnold, was finally repulsed, and the General wounded; but unhappily the intrenchments of the German reserve, commanded by Lieutenant-Colonel Breyman, who was killed, were carried; and, although ordered to be recovered, they never were so; and the enemy, by that misfortune, gained an opening on our right and rear. The night put an end to the action.

Under the disadvantages, thus apparent in our situation, the army was ordered to quit the present position during the night, and take post upon the heights above the hospital.

Thus, by an entire change of front, to reduce the enemy to form a new disposition, this movement was effected in great order and without loss, though all the artillery and camp were removed at the same time. The army continued offering battle to the enemy, in their new position, the whole day of the 8th.

Intelligence was now received that the enemy were marching to turn the right; and no means could prevent that measure but retiring towards Saratoga. The army began to move at nine o'clock at night, Major-General Reidesel commanding the van-guard, and Major-General Phillips the rear.

This retreat, though within musquet-shot of the enemy, and encumbered with all the baggage of the army, was made without loss; but a very heavy rain, and the difficulties of guarding the bateaux, which contained all the provisions, occasioned delays which prevented the army reaching Saratoga till the night of the 9th, and the artillery could not pass the fords of the Fish-Kill till the morning of the 10th. At

At our arrival near Saratoga, a corps of the enemy, between five and six hundred, were discovered throwing up intrenchments on the heights, but retired over a ford of the Hudson's River at our approach, and joined a body posted to oppose our passage there.

It was judged proper to send a detachment of artificers, under a strong escort, to repair the bridges and open a road to Fort-Edward on the west side of the river. The 47th regiment, Captain Fraser's marksmen, and Mackoy's Provincials, were ordered for that service; but, the enemy appearing on the heights of the Fish-Kill in great force, and making a disposition to pass and give us battle, the 47th regiment and Fraser's marksmen were recalled: the Provincials, left to cover the workmen at the first bridge, ran away upon a very slight attack of a small party of the enemy, and left the artificers to escape as they could, without a possibility of their performing any work.

During these different movements the bateaux with provisions were frequently fired upon from the opposite side of the river, and some of them were lost, and several men were killed and wounded in those which remained.

oa. 11. The attacks upon the bateaux were continued; several were taken and re-taken, but their situation being much nearer to the main force of the enemy than to ours, it was found impossible to secure the provisions any otherwise than by landing them and carrying them upon the hill. This was effected under fire, and with great difficulty.

The possible means of farther retreat were now considered in councils of war, composed of the general officers; minutes of which will be transmitted to your Lordship.

The only one that seemed at all practicable was, by a night-march to gain Fort-Edward, with the troops carrying

carrying their provision upon their backs: the impossibility of repairing bridges putting a conveyance of artillery and carriages out of the question, it was proposed to force the ford at Fort-Edward, or the ford above it. Before this attempt could be made, scouts returned, with intelligence that the enemy were intrenched opposite these fords, and possessed a camp in force on the high ground, between Fort-Edward and Fort-George, with cannon. They had also parties, down the whole shore, to watch our motions, and posts so near to us, upon our own side of the water, as must prevent the army moving a single mile undiscovered.

The bulk of the enemy's army was hourly joined by new corps of militia and volunteers, and their numbers together amounted to upwards of 16,000 men. Their position, which extended three parts in four of a circle round us, was, from the nature of the ground, unattackable in all parts.

In this situation, the army took the best position possible, and fortified, waiting till the 13th at night, in the anxious hope of succours from our friends, or the next desirable expectation, an attack from our enemy.

During this time, the men lay continually upon their arms, and were cannonaded in every part: even rifle-shot and grape-shot came into all parts of the line, though without any considerable effect.

At this period, an exact account of the provisions was taken, and the circumstances stated in the opening of this letter became complete.

The council of war was extended to all the field-officers and captains commanding corps of the army, and the event ensued which I am sure was inevitable, and which, I trust, in that situation was honourable, but which it would be superfluous and melancholy to repeat.

After

After the execution of the treaty, General Gates drew together the force that had surrounded my position, and I had the consolation to have as many witnesses, as I have men under my command, of its amounting to the numbers mentioned above.

During the events stated above, an attempt was made against Ticonderoga by an army assembled under Major-General Lincoln, who found means to march with a considerable corps from Huberton undiscovered, while another column of his force passed the mountains between Skeneborough and Lake-George; and, on the morning of the 18th of September, a sudden and general attack was made upon the carrying-place at Lake-George, Sugar-Hill, Ticonderoga, and Mount-Independence. The sea-officers commanding the armed sloop stationed to defend the carrying-place, as also some of the officers commanding at the posts of Sugar-Hill and at the Portage, were surprised, and a considerable part of four companies of the 53d regiment were made prisoners: a block-house, commanded by Lieutenant Lord of the 53d, was the only post on that side that had time to make use of their arms; and they made a brave defence, till cannon, taken from the surprised vessel, was brought against them.

After staring and lamenting to find a want of vigilance, I have to inform your Lordship of the satisfactory events which followed.

The enemy, having twice summoned Brigadier-General Powell, and received such answer as became a gallant officer entrusted with so important a post, and having tried, during the course of four days, several attacks, and being repulsed in all, retreated, without having done any considerable damage.

Brigadier-General Powell, from whose report to me I extract this relation, gives great commendations to the regiment of Prince Frederick, and the other troops

troops stationed at Mount-Independence. The Brigadier also mentions, with great applause, the behaviour of Captain Taylor of the 21st regiment, who was accidentally there on his route to the army from the hospital; and Lieutenant Bescroft of the 24th regiment, who, with the artificers in arms, defended an important battery.

On the 24th instant, the enemy, enabled, by the capture of the gun-boats and bateaux, which they had made after the surprise of the sloop, to embark upon Lake George, attacked Diamond Island in two divisions.

Captain Aubrey, and two companies of the 47th regiment, had been posted at that island from the time the army passed the Hudson's River, as a better situation, for the security of the stores at the south end of Lake George, than Fort George, which is on the continent, and not tenable against artillery and numbers. The enemy were repulsed by Captain Aubrey with great loss, and pursued by the gun-boats under his command, to the east shore, where two of their principal vessels were retaken, together with all the cannon. They had just time to set fire to the other bateaux, and retreated over the mountains.

I beg leave to refer your Lordship for farther particulars to my aid-de-camp, Lord Petersham, and I humbly take occasion to recommend to his Majesty's notice that nobleman, as one endued with qualities to do important services to his country in every station to which his birth may lead. In this campaign, in particular, his behaviour has been such as to entitle him to the fullest applause; and I am confident his merit will be thought a sufficient ground for preferment, though deprived of the *edat* and sort of claim which generally attends the delivery of fortunate dispatches.

I have only to add, my Lord, a general report of the killed and wounded. I do not give it correct,
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the hurry of the time and the separation of the corps having rendered it impossible to make it so. The British officers have bled profusely and most honourably; those who remain unwounded have been equally forward; and the general officers, from the mode of fighting, have been more exposed than in other services. Among the rest of this station, I have had my escapes. It depends upon the sentence his Majesty shall pass upon my conduct, upon the judgement of my profession, and of the impartial and respectable parts of my country, whether I am to esteem them blessings or misfortunes.

I have the honour to be, &c.

(Signed.)

J. BURGOTNE.

Second
No. XIV.

Copy of a Letter from Lieutenant-General Burgoyne to Lord George Germaine, dated Albany, 20th October, 1777.

[Private, by Lord Peterfham.]

My Lord,

I HAVE little to add to my public letter respecting the course of unsuccessful events therein detailed. I rest my confidence in the justice of the King and his councils, to support the General they thought proper to appoint to as arduous an undertaking, and under as positive a direction, as perhaps a cabinet ever framed. It will, I am sure, be remembered, my Lord, that a preference of exertions was the only latitude given me; and that to force a junction with Sir William Howe, or at least a passage to Albany, was the principle, the letter, and the spirit, of my orders.

Indeed the appearances at the time I passed the Hudson's River, though subject to doubt in some instances, as I then wrote to your Lordship, were, upon a general view, such as I am persuaded would have rendered

dered inaction censurable, had my orders, instead of being peremptory, been discretionary. Promises of the professing loyalists were not then brought to the test; the spirit of the enemy, in combat against regular British troops, had only been tried at Ficonderoga, at Huberton, at Skenesborough, and Fort Anne, in all which places it had failed; the total disappointment of effectual co-operation could not be foreseen or supposed; and, sure I am, had I then made supposition that any thing like what has happened might have happened, and remained cautiously posted, no exertion attempted, my conduct would have been held indefensible by every class and distinction of men, in government, in the army, and in the public.

The expediency of advancing being admitted, the consequences have been honourable misfortunes. The British have persevered in a strenuous and bloody progress. Had the force been all British, perhaps the perseverance had been longer; but, as it was, will it be said, my Lord, that, in the exhausted situation described, and in the jaws of famine, and invested by quadruple numbers, a treaty, which saves the army to the state for the next campaign, was not more than could have been expected? I call it saving the army; because, if sent home, the state is thereby enabled to send forth the troops now destined for her internal defence; if exchanged, they become a force to Sir William Howe as effectually as if any other junction had been made.

I should now hold myself unjustifiable if I did not confide to your Lordship my opinion, upon a near inspection, of the rebel troops. The standing corps which I have seen are disciplined? I do not hazard the term, but apply it to the great fundamental points of military instruction, sobriety, subordination, regularity, and courage. The militia are inferior in method and movement, but not a jot less serviceable in woods.

My conjectures were very different after the affair of Ticonderoga; but I am convinced they were delusive; and it is a duty to the state to confess it.

The panic of the rebel troops is confined, and of short duration; the enthusiasm is extensive and permanent.

It is a justice to Major-General Phillips to inform your Lordship, that when the crisis of our situation at Saratoga arrived, he very handsomely offered to hazard his person by making a circuit through the woods, and attempt to throw himself into Ticonderoga, to defend that place, should it be the object of the enemy to endeavour the retaking it.

In regard to myself, I am sunk in mind and body; but, while I have a faculty of either, it shall be exerted for the King's service. I shall wait, in the neighbourhood of Boston, the orders of Sir William Howe.

I have the honour to be, &c.

J. BURGCOYNE

No. XV. *Minutes of a Council of War, holden on the Heights of Saratoga, Oct. 12.*

PRESENT.

Lieut. Gen. BURGCOYNE, Major Gen. PHILLIPS,
Major Gen. RIBESSEAU, Brig. Gen. HAMILTON.

The Lieutenant-General states to the council the present situation of affairs.

The enemy, in force, according to the best intelligence he can obtain, to the amount of upwards of 14000 men, and a considerable quantity of artillery, are on this side the Fish Kill, and threaten an attack. On the other side the Hudson's River, between this army and Fort Edward, is another army of the enemy, the numbers unknown; but one corps, which there has

has been an opportunity of observing, is reported to be about 1500 men. They have likewise cannon on the other side the Hudson's River, and they have a bridge below Saratoga church, by which the two armies can communicate.

The bateaux of the army have been destroyed, and no means appear of making a bridge over the Hudson's River, were it even practicable, from the position of the enemy.

The only means of retreat, therefore, are by the ford at Fort Edward, or taking the mountains, in order to pass the river higher up by rafts, or by any other ford which is reported to be practicable with difficulty, or by keeping the mountains, to pass the head of Hudson's River, and continue to the westward of Lake George all the way to Ticonderoga: it is true, this last passage was never made but by Indians or very small bodies of men.

In order to pass cannon or any wheel carriages from hence to Fort Edward, some bridges must be repaired under fire of the enemy, from the opposite side of the river, and the principal bridge will be a work of fourteen or fifteen hours: there is no good position for the army to take to sustain that work, and, if there were, the time stated as necessary would give the enemy, on the other side the Hudson's River, an opportunity to take post on the strong ground above Fort Edward, or to dispute the ford, while General Gates's army followed in the rear.

The intelligence, from the lower part of Hudson's River, is founded upon the concurrent reports of prisoners and deserters, who say it was the news in the enemy's camp, that Fort Montgomery was taken; and one man, a friend to government, who arrived yesterday, mentions some particulars of the manner in which it was taken.

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APPENDIX

The provisions of the army may hold out to the 20th; there is neither rum nor spirits here.

Having committed this state of facts to the consideration of the council, the General requests their sentiments on the following propositions:

1st. To wait, in the present position, an attack from the enemy, or the chance of favourable events.

2d. To attack the enemy.

3d. To retreat, repairing the bridges as the army moves for the artillery, in order to force the passage of the ford.

4th. To retreat by night, leaving the artillery and the baggage; and, should it be found impracticable to force the passage with musquetry, to attempt the upper ford, or the passage round Lake George.

5th. In case the enemy, by extending to their left, leave their rear open, to march rapidly for Albany.

Upon the first proposition, resolved, that the situation would grow worse by delay, that the provision now in store is not more than sufficient for the retreat, should impediments intervene, or a circuit of country become necessary; and, as the enemy did not attack when the ground was unfortified, it is not probable they will do it now, as they have a better game in play.

The second, unadvisable and desperate, there being no possibility of reconnoitring the enemy's position, and his great superiority of numbers known.

The third, impracticable.

The fifth thought worthy of consideration by the Lieutenant-General, Major-General Phillips, and Brigadier-General Hamilton, but the position of the enemy yet gives no opening for it.

Resolved, that the fourth proposition is the only resource; and that, to effect it, the utmost secrecy and silence is to be observed, and the troops are to be put in motion from the right, in the still part of the night, without any change in the disposition.

N.B.

A P P E N D I X.

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N.B. It depended upon the delivery of six days provision in due time, and upon the return of scouts, who had been sent forward, to examine by what route the army could probably move the first four miles undiscovered, whether the plan should take place on that day or on the morrow.

The scouts, on their return, reported, that the enemy's position on the right was such, and they had so many small parties out, that it would be impossible to move without our march being immediately discovered.

Minutes and Proceedings of a Council of War, consisting of all the general Officers and Field Officers, and Captains commanding Corps, on the Heights of Saratoga, October 13.

THE Lieutenant-General having explained the situation of affairs, as in the preceding council, with the additional intelligence, that the enemy was intrenched at the fords of Fort Edward, and likewise occupied the strong position on the Pine-plains between Fort George and Fort Edward, expressed his readiness to undertake, at their head, any enterprise of difficulty or hazard that should appear to them within the compass of their strength or spirit. He added, that he had reason to believe a capitulation had been in the contemplation of some, perhaps of all, who knew the real situation of things; that, upon a circumstance of such consequence to national and personal honour, he thought it a duty to his country and to himself, to extend his council beyond the usual limits; that the assembly present might justly be esteemed a full representation of the army, and that he should think himself unjustifiable in taking any step in so serious a matter, without such a concurrence of sentiments, as should make a treaty the act of the army, as well as that of the general.

APPENDIX

The first question, therefore, he desired them to decide was, Whether an army of 3500 fighting men, and well provided with artillery, were justifiable, upon the principles of national dignity and military honour, in capitulating in any possible situation?

Resolved, nem. con. in the affirmative.

Question 2. Is the present situation of that nature?

Resolved, nem. con. That the present situation justifies a capitulation upon honourable terms.

The Lieutenant-General then drew up the message, marked No. 2, and laid it before the council. It was unanimously approved; and, upon that foundation, the treaty opened.

October 14. Major Kingston, having delivered the message, marked No. 2, returned with the proposals, marked No. 3; and the council of war being assembled again, the Lieutenant-General laid the proposals before them, when it was resolved unanimously to reject the 6th article, and not to admit of it in any extremity whatever.

The Lieutenant-General then laid before the council the answers to Major-General Gates's proposals, as marked in the same paper, together with his own preliminary proposals, which were unanimously approved of.

October 15. The council being assembled again, Major-General Gates's answers to Lieutenant-General Burgoyne's proposals were laid before them, whereupon it was resolved, that they were satisfactory, and a sufficient ground for proceeding to a definitive treaty.

No. 2. Major Kingston delivered the following Message to Major-General Gates, October 14.

AFTER having fought you twice, Lieutenant-General Burgoyne has waited some days, in his present position,

position, determined to try a third conflict against any force you could bring to attack him.

He is apprised of the superiority of your numbers, and the disposition of your troops to impede his supplies, and render his retreat a scene of carnage on both sides. In this situation he is impelled by humanity, and thinks himself justifiable by established principles and precedents of state and of war, to spare the lives of brave men upon honourable terms. Should Major-General Gates be inclined to treat upon that idea, General Burgoyne would propose a cessation of arms during the time necessary to communicate the preliminary terms by which, in any extremity, he and his army mean to abide.

No. 3. Major-General Gates's Proposals, together with Lieutenant-General Burgoyne's Answers.

I. General Burgoyne's army being exceedingly reduced by repeated defeats, by desertion, sickness, &c. their provisions exhausted; their military horses, tents, and baggage, taken or destroyed; their retreat cut off, and their camp invested, they can only be allowed to surrender prisoners of war.

Answer. Lieutenant-General Burgoyne's army, however reduced, will never admit that their retreat is cut off, while they have arms in their hands.

II. The officers and soldiers may keep the baggage belonging to them. The generals of the United States never permit individuals to be pillaged.

III. The troops under his Excellency General Burgoyne will be conducted by the most convenient route to New-England, marching by easy marches, and sufficiently provided for by the way.

Answer. This article is answered by General Burgoyne's first proposal, which is here annexed.

IV. The officers will be admitted on parole; may wear their side-arms, and will be treated with the libe-

rality customary in Europe, so long as they, by proper behaviour, continue to deserve it; but those who are apprehended, having broken their parole, as some British officers have done, must expect to be close confined.

Answer. There being no officers in this army under, or capable of being under, the description of breaking parole, this article needs no answer.

V. All public stores, artillery, arms, ammunition, carriages, horses, &c. &c. must be delivered to commissaries appointed to receive them.

Answer. All public stores may be delivered, arms excepted.

VI. These terms being agreed to and signed, the troops under his Excellency General Burgoyne's command may be drawn up in their encampments, where they will be ordered to ground their arms, and may thereupon be marched to the river side, to be passed over in their way towards Bennington.

Answer. This article inadmissible in any extremity. Sooner than this army will consent to ground their arms in their encampment, they will rush on the enemy, determined to take no quarter.

VII. A cessation of arms to continue till sun-set, to receive General Burgoyne's answer.

(Signed)

HORATIO GATES.

Camp, at Saratoga, Oct. 14.

Major Kingston met the Adjutant-General of Major-General Gates's army, October 14th, at sun-set, and delivered the following message.

If General Gates does not mean to recede from the 6th article, the treaty ends at once.

The army will, to a man, proceed to any act of desperation, rather than submit to that article.

The cessation of arms ends this evening.

No. XVI. A RE-

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RETURN of the Army of the United States, command

October 16,

Officers

Commissioned.

Brigades.	Commissioned.								Chaplains.	Adjutants.
	Brigadiers.	Colonels.	Lieutenant Colonels.	Majors.	Captains.	First Lieutenants.	Second Lieutenants.	Ensigns.		
Brigadier General Nixon's	1	3	4	3	27	25	28	24	1	4
Poor's	1	2	5	4	24	23	26	28	1	3
Learned's	1	4	3	4	26	21	23	30	1	4
Glover's	1	3	5	4	30	26	23	27	1	3
Paterfon's	1	4	3	4	28	22	24	26	0	3
Warner's	1	5	4	3	24	27	22	26	0	4
Stark's	1	3	3	4	27	30	24	22	0	3
Bailey's	1	4	4	2	28	26	22	24	0	2
Whipple's	1	3	2	4	24	27	23	25	1	4
Brickett's	1	2	4	3	26	23	27	30	0	2
Fellows's	1	4	2	4	22	26	24	28	0	3
Woolcut's	1	3	2	3	30	23	21	25	0	2
Ten Brock's	0	4	2	3	24	22	27	30	0	2
Artillerists	0	0	1	1	6	5	5	0	0	1
Cavalry	0	0	1	3	8	6	7	0	0	2
Total	12	44	45	49	344	332	326	345	5	42

N. B. Exclusive of the numbers in the above Return, there are, the u
followers of the camp.

Colonel Morgan's corps of rifle-men, and the light-infantry, ar
(Signed.)

No. XVI.

Commanded by Major General Gates, Camp at Saratoga,
16, 1777.

Officers present.

Staff.							Non-com- missioned.		Rank and File.					
Chaplains.	Adjutants.	Quarter Masters.	Pay Masters.	Surgeons.	Mates.	Serjeants.	Drums and Fifes.	Present fit for Duty.	Sick present.	Sick absent.	On Command.	On Furlough.	Total.	
4	1	4	4	2	4	3	104	52	1257	55	87	73	9	1481
8	1	3	3	4	3	5	110	50	1132	48	64	61	11	1316
0	1	4	3	3	2	4	121	54	1498	57	51	44	8	1658
7	1	3	4	4	4	3	120	58	1776	69	94	86	23	2048
6	0	3	3	2	3	4	108	49	1255	61	77	53	12	1458
6	0	4	2	3	2	3	96	40	1572	95	83	68	32	1850
2	0	3	4	2	4	2	101	48	220	25	32	19	7	1303
4	0	2	2	1	2	3	93	37	897	30	23	148	13	1011
5	1	4	3	2	3	2	104	49	112	18	21	897	27	1075
0	0	2	2	1	1	2	83	37	776	21	37	31	4	869
8	0	3	4	2	3	4	113	51	132	40	31	884	10	1097
5	0	2	3	1	2	1	96	47	843	27	34	38	7	949
0	0	2	4	2	1	3	105	44	987	54	65	553	14	1673
0	0	1	1	1	3	2	22	12	438	17	25	8	2	490
0	0	2	2	0	0	2	16	8	321	5	7	12	1	346
5	5	42	44	30	37	43	1392	636	13216	622	731	3875	180	18624

[To front page civ. of the Appendix.]

the upper staff of the army, the bateau men, the artificers, and

entry, are included in the brigades.

HORATIO GATES, Major General,

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*Extracts from the Minutes of the last Council of War, No. XVII
excepting the Names of the Officers, and the Notes they
gave.*

Question.

General Gates having, in answer to General Burgoyne's message, given a solemn affirmation, on his honour, that no detachment has been made from his army during the negotiation of the treaty, is the treaty, in its present situation, binding on this army, or is the general's honour engaged for the signing it?

[Here follow the names of the officers as they voted.]

The lieutenant-general's opinion being clear, that he is not bound by what has passed, he would not execute the treaty upon the sole consideration of the point of honour, notwithstanding the respectable majority against him.

He is likewise far from being convinced that this army, by great exertions and by great enduring in point of provisions, might not yet be relieved; but he is compelled to yield on the following considerations:

The treaty was generally thought a most advantageous one before the intelligence arrived. That intelligence is refuted, and ocular demonstration of its falsity pledged as far as relates to General Gates's force; the other parts are only founded on hearsay, and not to be depended upon.

Should General Clinton be where reported, yet the distance is such as to render any relief from him improbable during the time our provisions could be made to last.

----- declares his post untenable; and says, if this convention is not signed, he apprehends there will be considerable desertion.

----- says,

H.V.X. 67

--- says, he thinks the 47th regiment is not to be depended on.

--- is of the same opinion.

--- thinks the 62d regiment is disheartened by the situation of their post, and not equal to their former exertions.

Several officers think the men in general seem to have got the convention in their heads as desirable.

Many of the best officers are absent, by sickness and wounds, from all the corps.

Though the other officers, at the head of the British corps, think that they can answer for the spirit of their men, if attacked on their present ground, it is evident the most sanguine do not think any part of the army in that elevation and alacrity of spirit necessary for undertaking desperate enterprises.

To break off the treaty now renders a future renewal of it hopeless, as our condition must every hour grow worse.

A defeat is fatal to the army. A victory does not save it, as they have neither provisions to advance nor retreat against an enemy, who, by experience, we know are capable of rallying at every advantageous post.

And that the life and property of every provincial and dependent of this army depends upon the execution of this treaty.

POST-
The troops which have served under you with great distinction and with great honour, and which you have so long and so well employed, are now to be disbanded, and you are to be left with a small number of troops, which are not equal to the service you are to perform. You are to be left with a small number of troops, which are not equal to the service you are to perform. You are to be left with a small number of troops, which are not equal to the service you are to perform.

POSTSCRIPT to the APPENDIX.

[Though the following Letters are not referred to in any Part of the Defence, it is hoped they will not be deemed superfluous.]

Extract of a Letter from Major-General Phillips to Lieutenant-General Burgoyne, dated Cambridge, September 29, 1778.

My dear Sir,

THE Boston news-papers have given extracts from English and New-York papers, wherein you are mentioned; your arrival, your speeches in parliament, and a variety of other matters concerning you. I do not always give credit to news-papers, and therefore the publishers at Boston will excuse me, if, in the instance of news, I do not give them, in my opinion, more veracity than I allow the news compilers at London.

I will not plague you about our situation, as you will know it by my assuring you it is almost exactly as you left us; so no more about it. The troops here depend upon you, their chief, in whatever may relate to them, their interest, their honour. It is not doubted but you will exert yourself, that the officers may gain preferment in common with other parts of the army; that you will have the goodness to exert yourself in behalf of their situation, respecting the very great expence of living, and endeavour to procure the allowance of forage money; and, in short, that you will use all your powers of persuasion and interest for these troops, which have served under you with zeal and with honour; and endeavour, by serving their situation and promoting their honour, to alleviate misfortunes which nor fortitude nor valour could prevent,
and

A P P E N D I X.

and which they suffer, however, with resignation and patience. I am most perfectly convinced of your affectionate, I will say your grateful, regard for us all; and I leave myself and the troops to your friendly care, to your humanity, to your honour.

You cannot expect a letter of entertainment; I have not even a power of making it one of intelligence; it shall be, however, a letter of perfect sincerity; and, in the fullest sense of it, I profess to be,

My dear Sir,

Your very sincere friend and faithful servant,

(Signed.)

W. PHILLIPS.

P. S. I enclose you the Copy of a Memorial to the Secretary at War; I am sure you will assist it.

Copy of a Letter from Lieutenant-General Burgoyne to Lord Amherst, inclosing the Memorial referred to in the above, dated November 6, 1778.

MY LORD,

THE heavy misfortune I sustain, in being precluded the King's presence, touches me in no point more nearly than in the prevention of doing justice to the various and extensive merits of the army I had the honour to command. That the consequences of my supposed or real errors should involve pretensions and interests of so many gallant officers, is a painful reflection; and it can only be alleviated by the truest sense of the trust to be reposed in your Lordship, for the general protection of the service. The inclosed memorial was accompanied with expressions of reliance, in the name of the whole army, upon my efforts to support it. The officers in New-England little conceive my present situation. I take the first opportunity

portunity to transmit their cause to your Lordship's happier auspices, with this solemn declaration, (which I have mentioned upon different public occasions, and which I can omit no occasion to repeat,) that there is not a British officer, who served under me during the campaign of 1777, to whom I can impute blame; that the instances are very numerous wherein particular distinction is due; and, as a body, they have a claim to my sincerest respect, for their zeal in the King's service; and to my utmost gratitude, for their attention to me personally.

I have the honour to be, &c. &c. &c.

J. BURGOYNE.

F I N I S.

portunity to transmit their calls to your Lordship's
 happier auspices, with this solemn declaration, (which
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 which I can omit no occasion to repeat,) that there is
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 King's service; and to my utmost gratitude, for their
 attention to me personally.

I have the honour to be, &c. &c. &c.

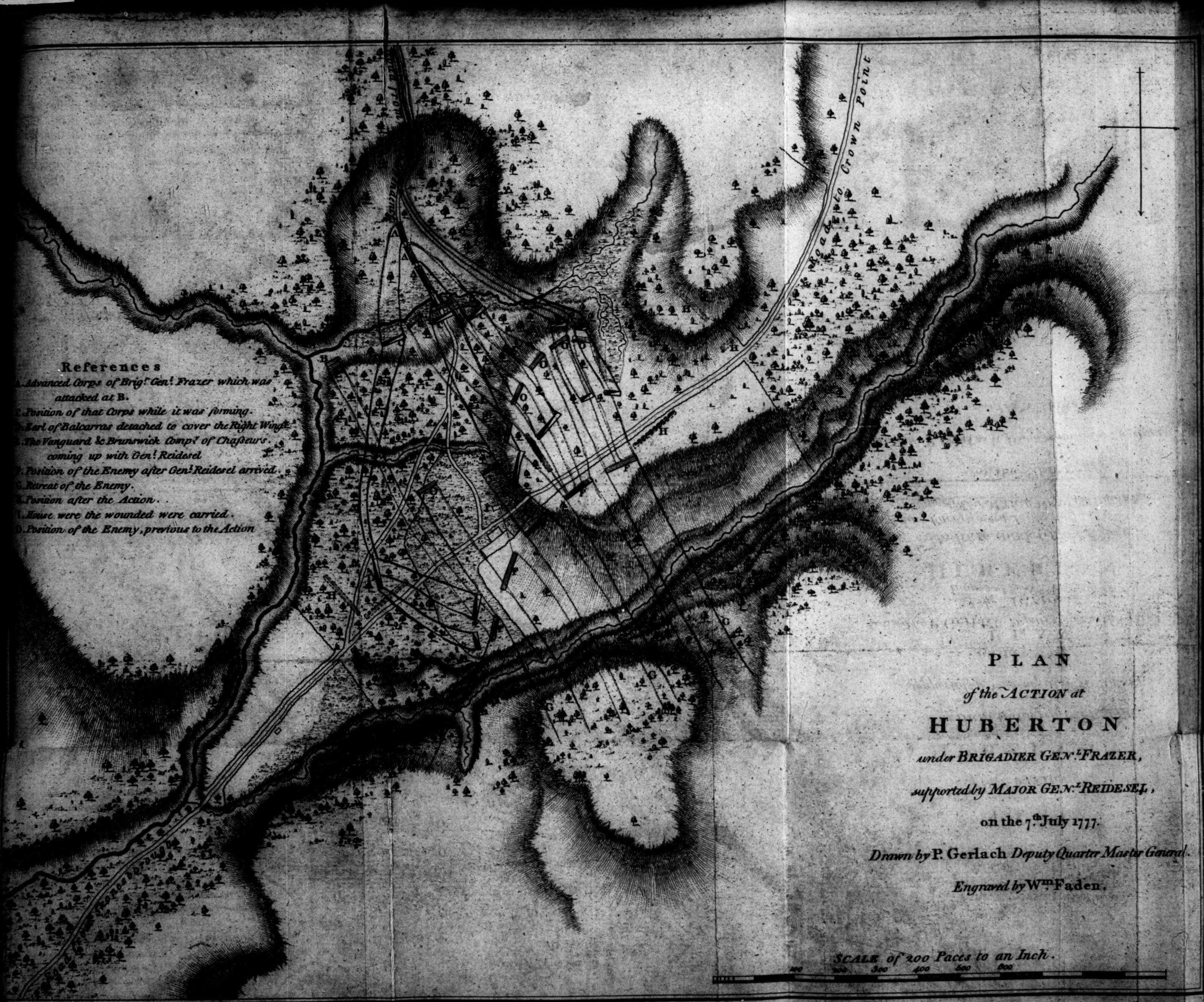
J. BURGOYNE.

to the Hon. the Secy. of State, &c. &c. &c.

to the Hon. the Secy. of State, &c. &c. &c.

F I N I S.

to the Hon. the Secy. of State, &c. &c. &c.



References

- A. Advanced Corps of Brig^d Gen^l Frazer which was attacked at B.
- C. Position of that Corps while it was forming.
- D. Earl of Balcarross detached to cover the Right Wing.
- E. The Vanguard & Brunswick Comp^y of Chasseurs coming up with Gen^l Reidesel.
- F. Position of the Enemy after Gen^l Reidesel arrived.
- G. Retreat of the Enemy.
- H. Position after the Action.
- I. House where the wounded were carried.
- O. Position of the Enemy, previous to the Action.

PLAN of the ACTION at HUBERTON

under BRIGADIER GEN^l FRAZER,
supported by MAJOR GEN^l REIDSEEL,

on the 7th July 1777.

Drawn by P. Gerlach Deputy Quarter Master General.

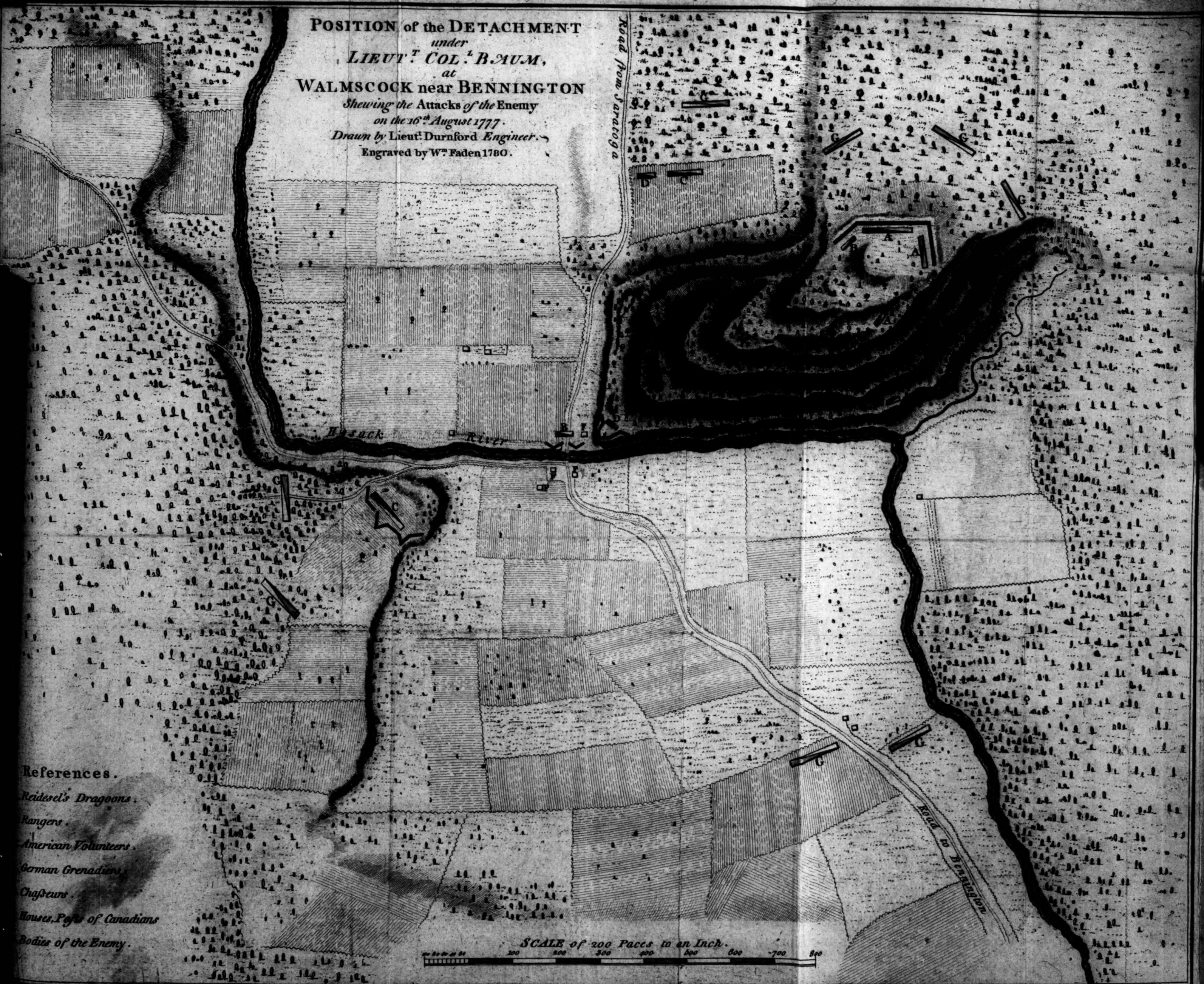
Engraved by W^m Faden.

SCALE of 200 Paces to an Inch.



POSITION of the DETACHMENT
under
LIEUT. COL. BAUM,
at
WALMSCOCK near BENNINGTON

*Shewing the Attacks of the Enemy
on the 16th August 1777.
Drawn by Lieut. Durnford Engineer.
Engraved by W. Faden 1780.*



References.

- Rider's Dragoons.*
- Rangers.*
- American Volunteers.*
- German Grenadiers.*
- Chasseurs.*
- Houses, Posts of Canadians.*
- Bodies of the Enemy.*

SCALE of 200 Paces to an Inch.
200 300 400 500 600 700 800



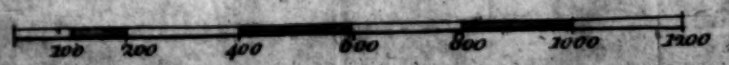
PLAN of the ENCAMPMENT
and POSITION of the ARMY under
HIS EXCELL^T L^T GENERAL BURGoyNE
at *SWORDS HOUSE*

on Hudson's River near Stillwater
on Sept. 17th with the Positions of that part of the Army
engaged on the 19th Sept. 1777.

Drawn by W.C. Wilkinson L^T 62^d Reg.^t Afs.^t Eng^r

Engraved by W^m Faden.

Scale of 1200 Yards.



Scale of 1200 Yards
100 200 400 600 800 1200

ENEMY'S CAMP
at Stillwater.

PLAN of the ENCAMPMENT
and POSITION of the ARMY under
HIS EXCELLENCY GENERAL BURGOYNE
at BREMUS HEIGHTS

on Hudson's River near Stillwater,
on the 20th Sept^r with the Position of the
Detachment &c. in the Action of the 7th of Oct^r

& the Position of the Army on the 8th Oct^r 1777

Drawn by W.C. Wilkinson L^t 62 Reg^t A^t S^t Eng^s

Engraved by W^m Faden.

PLAN OF THE POSITION which the ARMY under L^T GEN^L BURGONE took at SARATOGA

on the 10.th of September 1777, and in which it remained till the CONVENTION was signed.

Engraved by W^m Faden.

Camps of Burgoyne under Col^L Morgan

Scale of Lands

